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BIOGRAPHY

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ROBT BOWEN **BENJ HARRISON**

THE INDIANA MAGAZINE OF HISTORY

Vol. IX

MARCH, 1913

No. 1

JAMES NOBLE.

BY NINA K. REID.

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JAMES NOBLE was born in Battletown, Virginia, about 1790. Near the close of the eighteenth century, his father, Thomas T. Noble, moved with his family to Kentucky, where he lived the life of a pioneer. James grew up used to hard work and became self-reliant. He was but seventeen years old when he married, taking for his bride Mary Lindsay, a Kentucky belle. Soon afterward he entered the law office of Mr. Southgate as a student.

After being admitted to the bar, he moved to Brookville, Indiana, where he began the practice of law, soon winning a reputation for himself. Southeastern Indiana at that time was thinly settled. The towns and villages were filled with Indians who visited the settlements to trade their furs and game to the white people. The settlers were bold, hardy, reckless, and so committed many crimes calling for the action of the courts. Young lawyers were the most important persons in the country. People would go hundreds of miles to attend court to hear the lawyers plead a case.

The courthouses were frame or log buildings containing two rooms, one occupied by the court and the other by the grand jury. The courtroom was furnished very simply. At one end was a platform elevated about three feet for the judges, with a bench for them to sit on. The lawyers had benches near the table of the clerk. The crowd was kept back by a long pole stretched across the room.

Noble had as contemporaries many well-known lawyers, among whom were James B. Ray, later Governor; John T. McKinney, O. H. Smith, later United States Senator; Amos Lane and John

Test. Some of these men knew more law than Noble, but none of them could equal him in making a stump speech or addressing a jury. He had a very strong voice so that people within several squares of the courthouse could tell when he was speaking. It was said that no juror ever needed an ear trumpet when he was addressing the gentlemen of the jury.

General Noble was appointed prosecuting attorney of Wayne and Franklin counties, December 14, 1810. On April 25, 1815, Governor Posey commissioned him circuit judge for the Third Judicial Circuit, in place of Elijah Sparks, who had died. This circuit included the Whitewater country, extending from Jefferson county north to Michigan and from the Ohio line west to the White river. It was an extensive circuit for a man to ride in those days of poor roads and forest trails, and while performing his duties, Noble rode his beautiful white horse, "Wrangler," for which he paid sixty dollars—which was deemed a high sum for an animal in those days. Oliver H. Smith, in his "Early Indiana Trials and Sketches," gives accounts of many cases in which Noble figured. An important case was one tried early in the Franklin circuit court. Action had been brought against the defendant for cutting a bee-tree and carrying away a swarm of bees. The lawyer for the plaintiff was John Mattocks, Jr., a graduate of Yale. He knew Greek and Latin and was well acquainted with Coke and Blackstone. The lawyer for the defendant, General Noble, who, as Smith says, had been raised in the backwoods, educated in the winter time at night in a little ten by fifteen log schoolhouse in Kentucky, was armed only with a large amount of common sense. Mattocks took all day for his argument, reading cases and decisions from a host of English law books, which he had with him, much to the disgust of the court, who understood little of what he was saying. The next morning, Noble began for the defense in what was said to have been one of the most conclusive speeches ever made in that courthouse. He did not answer Mattock's arguments, but simply rose and read an extract from the Declaration of Independence, which declares that the colonies were absolved from allegiance to the British crown and that all political connections with it were destroyed.

The court immediately gave his opinion to the effect that Noble's speech was conclusive evidence that the British authorities had been cut off the day the Declaration of Independence was signed and he therefore gave judgment for the defendant.

A famous case in which Noble figured was the trial of four white men for the murder of a party of friendly Seneca Indians at Fall creek in the spring of 1824. Noble was, at that time, Senator and was appointed by the Secretary of War to prosecute with power to fee an assistant. He chose Phillips Sweetzer, his son-in-law, a young lawyer of promise. At the trial of Hudson, one of the accused, the lawyers for the defense pleaded the cruelty of the Indians and the massacres they had perpetrated. Noble closed for the State in a forcible speech, appealing to justice and patriotism and the fact that the safety of the settlers depended on a conviction. His speech had a noticeable effect on the crowd and the jury. Hudson was convicted and executed. This is the first case on record in America where a white man was hanged for killing an Indian.

By his own efforts Noble soon made himself a prominent leader in politics. Smith says that when he came to Indiana in 1817 he found politics in the hands of a party headed by Noble, Jonathan Jennings and William Hendricks. All three were in the Constitutional Convention at Corydon, June 10-29, 1816. Noble was a delegate from Franklin county. Jennings, a delegate from Clark county, was elected president and Hendricks was the secretary. Noble was appointed chairman of the committee on the legislative department and was also a member of the judiciary committee.

These three men agreed to aid each other in making Noble United States Senator, Jennings Governor and Hendricks Congressman. There were to be three judges appointed for the Supreme Court. Noble selected Jesse L. Holman, of Aurora; Jennings chose John Johnson, of Vincennes, and Hendricks chose James Scott, of Clark county.

When the work of the convention was over, Noble returned to Brookville to the practice of law. In August he was elected a member of the first Legislature, which met at Corydon November 4, 1816. Other members of this Legislature were Amos Lane,

Lawrenceburg; John Dumont, Vevay; Davis Floyd, Jeffersonville; Ratliff Boone, Gibson county; Isaac Blackford, Corydon, the latter being elected Speaker of the House.

The two houses met in joint session November 7, and declared Jennings elected Governor. The next day, by joint vote, they chose James Noble and Waller Taylor Senators. Noble received 26 votes, Taylor 20, James Scott 16, Jesse L. Holman 3, Ezra Ferris 2, Davis Floyd 2, Walter Wilson 1, and Elias McNamee 1. Hendricks had already been elected to Congress. So, in four days from the time Noble took his seat in the Legislature, he was elected Senator.

The second session of the fourteenth Congress began December 2, 1816. The credentials of Noble and Taylor were referred to a committee to consider and to inquire what legislative measures were necessary to admit Indiana into the Union. Nine days later Indiana was formally admitted and the next day the oath was administered and the Senators took their seats.

The Senate proceeded to ascertain in what classes the Senators from Indiana should serve according to the resolution of May 14, 1789. The Secretary was ordered to roll up three papers of equal size, numbered 1, 2, 3, to be drawn from the ballot box by the Senators. Number 1, if drawn, entitled the holder to serve until March 3, 1817; number 2, until March 3, 1819; number 3, until March 3, 1821. Noble drew number 3, so his term was to expire March 3, 1821.

His second election took place in the State Legislature December 6, 1820, Noble receiving 20 votes, Jesse L. Holman 13 and Davis Floyd 4. The third election was December 12, 1826. On the fourth ballot, Noble received 40 votes, Isaac Blackford 28 and Jennings 10. Thus he served continuously in the Senate from 1816 until his death in 1831.

In his journeys to and from Washington, Noble always traveled on horseback. Smith tells of the journey he made with him in 1827, when Noble was going back to his work in the Senate. Smith had just been elected to the House. They started in the middle of November, riding good walking horses. There were no railroads then. Stage coaches had become the fashion; riding

horseback was going out of date, but Noble would never hear of going in a stage. He always stuck to the old way. It took the two men seventeen days for the journey which is now made in seventeen hours, at the end of which time they arrived at the Indian Queen Hotel at Washington kept by Jesse Brown.

An interesting incident occurred on the way. They had stopped one morning at the top of the Allegheny to breakfast when a stage coach drove up to the door. Smith, seeing Governor Jennings in the back seat, and knowing that he and Noble were enemies, not having spoken to one another for years, decided to play a joke on the Senator. He called to Noble to come out as there was a friend there who wanted to see him. Noble rushed out, opened the door of the coach, and there beheld Governor Jennings, the only passenger. There was nothing for him to do but say "Good morning" and shake hands. After that the two were always friends.

On first taking his seat in the Senate, Noble was appointed with Senator Taylor on the committee on public lands. In 1817, at the opening of the first session of the fifteenth Congress, he was placed on the militia and pensions committees. He served on these two committees also during the second session. At the first session of the sixteenth Congress he was made chairman of the committee on militia and at the second session was also made chairman of the committee on pensions. For the next two sessions, he served as chairman on these two committees.

When Noble entered the Senate, the great question of the day, especially to people in the West, was that of internal improvements. He took a decided stand in favor of a liberal policy. In 1817 Calhoun brought in his bill which provided that the bonus to be paid by the United States Bank to the Government for its charter and the net annual proceeds received by the Government upon its shares in the bank should be set aside as a permanent fund for internal improvements. Noble voted for this measure, which was vetoed by Madison on the ground that it was unconstitutional. During all the debates Noble held that the Constitution warranted internal improvements at the Government's

expense. He spoke in the Senate December 15, 1824, on a resolution to appoint a committee on roads and canals, opposing Senator John Chandler, of Maine, who thought this would be unconstitutional, and saying he would vote for the resolution as he thought it would aid in the general prosperity of the country. Two years later, May 15, 1826, in a debate on the Dismal Swamp Canal, he expressed the opinion that internal improvements ought at all times to be promoted by the Government when this could be done without becoming burdensome to the people.

By 1818, the Cumberland road had been built as far as Wheeling. On February 17, 1820, Noble presented a resolution from the Legislature of Indiana asking for the continuation of this road from Wheeling to the Mississippi. This was referred, along with similar memorials from Illinois and Ohio, to the committee on roads and canals. This committee reported a bill to authorize the appointment of commissioners to lay out a road from Wheeling, through Ohio, Indiana and Illinois, to the Mississippi and appropriated \$10,000. This bill was passed May 15, 1820. An act was passed March 3, 1825, appropriating \$150,000 to open and make the road in Ohio from Canton to Zanesville.

Noble was very much interested in this work. On March 20, 1826, speaking on a bill to appropriate \$110,000 for this road, he said the whole interest of the country would be destroyed if the road was discontinued. It was needed, he insisted, to bind the interests of the Western States and Missouri with the East. This bill was passed five days later.

In the same year, May 8, 1826, he brought in a bill providing that as soon as the route was surveyed in Indiana, a road eighty feet wide should be opened. The bill appropriated \$50,000 for this work. He said this road would make lands in Indiana more valuable. The Government owned land in many counties through which the road would pass. When it was finished all lands bordering on it would soon be sold to actual settlers. He claimed the appropriation as a right because Congress had pledged two per cent. of the proceeds arising from the sale of public lands in the Western States for making roads leading to those States. This bill was not passed.

February 27, 1827, Noble spoke on a bill to appropriate \$170,000 to complete the Cumberland road from Canton to Zanesville, and to continue and complete the survey from Zanesville to the seat of government in Missouri. He was indignant because many Senators were willing to stop work on the road, now that it was built through Pennsylvania and Virginia to Ohio. He claimed that it was unfair to the West, since it had helped to build the road thus far and was now to be left to struggle through the swamps and morasses. This bill was passed March 2, 1827, as a rider to the military appropriation bill.

The next year, in the debate on the bill to appropriate \$175,000 to complete the road to Zanesville, he again urged the compact made by Congress with the Western States. He said constitutional difficulties were now being brought forward, but that Jefferson had begun the road and he was no violator of the Constitution. He showed how the Western States had been struggling for years in the forests, extending the country's dominions and guarding the frontiers against savages. He ended by saying: "You may make us wade in the mud and swim our rivers and creeks by refusing to aid us in making roads and canals, but you cannot keep down the enterprise of our citizens."

Thus it may be seen that Noble on all occasions favored the building of roads and canals. He was interested in everything that would help in the development of the West, especially of Indiana. His attitude toward the building of the Cumberland road made him popular, not so much because the people wanted a means of travel, as that it gave employment for so many men. Farmers who lived on the route, engaged in the work, receiving good pay for their labor and the use of their teams. Thus at the very beginning the road was a benefit to the country.

Another subject of great importance in Congress during Noble's time was that of the public lands. An act had been passed May 10, 1800, regarding all lands in the Northwest Territory, providing that they should be sold at \$2 an acre. A fee of \$6 for every section and \$3 for every half section was to be charged for surveying expenses. One-twentieth of the purchase money was to be deposited, to be forfeited if within forty days the pur-

chase money, including the one-twentieth, was not paid. One-fourth of the purchase money was to be paid within forty days after the sale and the rest in yearly installments. The sixth condition of the fifth section of the act provided that if the land was not completely paid for within a year after the date fixed for the last payment, the land was to be sold at public sale. This clause caused the people a great deal of distress, especially those who did not have the money to pay cash.

An act was passed April 15, 1806, to suspend until October 1, 1806, the sale or forfeiture of lands for failure in completing the payments. April 18, 1818, an act was passed to suspend the forfeiture until March 31, 1819; an act of March 3, 1819, continued the suspension until March 31, 1820. December 21, 1819, Noble submitted a motion regarding the continuance of the suspension until March 31, 1822. The bill which was passed March 30, 1820, extended the time only until March 31, 1822.

When Noble first entered the Senate, on December 31, 1816, he moved that the committee on public lands be instructed to inquire into the expediency of dividing a certain proportion of quarter sections of land. A bill was brought in and passed February 21, 1817, providing that after September 1, 1817, the sections numbered 2, 5, 20, 23, 30 and 33 in each township should be offered for sale in quarter sections or half-quarter sections, according to the desire of the purchaser.

December 21, 1818, Noble submitted the resolution regarding the location of the lands for the capital of Indiana, in accordance with the location chosen by the committee appointed for that purpose. A bill was brought in and passed March 3, 1819, providing that instead of four sections, any contiguous quarter sections, fractions or parts of sections could be located under the direction of the Legislature.

To relieve the distress of the purchasers of public lands, it was thought best to change the land sale system. In 1820 a bill was brought into the Senate reducing the price of lands from \$2 to \$1.25 an acre, requiring cash payment. Lands sold at public sale were to be sold in half quarter sections after July 1, 1820; those sold at private sale were to be offered in entire half, quarter or half quarter sections.

Noble opposed this bill. He did not think sales should be made for cash as this made it easy for monopolists and speculators to purchase the best lands and afterward sell them at exorbitant prices. This bill was passed April 24, 1820. It proved to be an unwise measure, as its immediate effect was to reduce the price of lands already purchased and owned by individuals.

November 30, 1820, Noble asked that the committee on public lands inquire into the expediency of allowing those who had purchased public lands before July 1, 1820, who had paid the first, second and third installments, to demand and receive patents. A bill was reported by this committee and passed March 2, 1821, providing for the relief of purchasers; lands purchased before July 1, 1820, and not wholly paid for, might be relinquished by the legal holder of the certificate filing notice in writing with the registrar of the land office. Sums paid on account of the part relinquished were to be applied to discharge the debt due on lands not relinquished. Other acts were passed in 1822, 1823 and 1824 providing for the relief of purchasers.

Many resented the fact that the public lands within the new States were owned by the Government. In 1829 Senator Hendricks, Noble's Indiana colleague at this time, presented a resolution of the Legislature of Indiana, praying that the public lands should be ceded to the State. Noble opposed this. He could not, he said, consistently with his principles, obey the Legislature and would not, even if removed from office. He thought it would be injurious to the prosperity of the new States if Congress should relinquish the lands in them. It was unjust to deprive the old States of their share in the public lands, as they had protected the new settlements which had thus grown in population and strength. This was exactly the opposite of the attitude which Hendricks took.

A bill to grant pre-emption rights to settlers on public lands came up in the Senate and was passed May 29, 1830. In the debate, Senator Bell, of New Hampshire, said it would be better to leave the lands to a general scramble. Noble was very indignant. He made a plea for the men who had risked their lives in settling these lands and who were now to be asked to buy them in competition with others.

The great debate on public lands, which began January 13, 1830, was on Foote's resolution to stop the survey of public lands, limit the sale of lands and abolish all offices of surveyors general. Senator Noble opposed this resolution. He thought, as did Benton, that it showed the hostility of the East to the West and a desire to check emigration.

Noble was interested in establishing a land office in eastern Indiana. Owing to his efforts a land office was established at Brookville, March 3, 1819. His brother was appointed receiver. In 1822 he brought in a bill to establish an additional land office at Fort Wayne. This bill was passed May 8, 1822.

Noble moved a resolution in the Senate February 11, 1823, regarding the sale of the Indian reservation in Indiana at the mouth of Racoon creek. This tract had been reserved to the Weas by the second article of the treaty at St. Mary's October 2, 1818, and was ceded to the United States by a treaty held at Vincennes August 11, 1820. Noble, speaking on this resolution, mentioned the fact that this reservation included the center of Parke county. The people, he said, wanted the tract sold so they could fix their county seat. A bill was passed March 3, 1823, attaching this reservation to the Terre Haute district for the sale of lands.

February 2, 1826, Noble moved to appropriate \$50,000 to extinguish the Indian title to lands in Indiana. He advocated the buying of these lands on the ground that it would promote commerce, giving citizens who before had been confined to the margin of the Wabash, an outlet through Lake Michigan and the straits at Detroit to Lake Erie. An act was passed May 20, 1826, appropriating \$15,000 for treaties with any tribes claiming lands in Indiana.

Noble's position in regard to the navy is shown in a speech made February 15, 1827, on a bill for the gradual improvement of the navy, in which he said he was glad statesmen had come back to the "good old John Adams system of defense." He was glad to see men of intelligence come out for the support of the Navy, which, he thought, was the "right arm of the country." The next year he opposed a motion to abolish the office of major general, saying he had formerly been opposed to a standing army, but had changed his views.

Noble defended the Congressional caucus in a speech made March 18, 1824. King, of New York, had criticized the caucus and Noble replied to him. He had attended the caucus that year with only a minority of his party members of Congress and thought it was all right to do so. This seems to indicate that he was a Crawford man. The object of the caucus was to produce union on one candidate, but it was controlled by friends of Crawford. It did not infringe on the vote of any citizen of the United States. This was said to have been one of the most unpleasant discussions held in the Senate for some time. The Senate was forced to adjourn in order to end what was a heated and unseemly quarrel.

Noble supported the tariff of 1824 and the "tariff of abominations" of 1828. He wanted to afford every protection to the manufacturer. In this respect he was a follower of Adams and Clay and if he had lived would undoubtedly have been a Whig. He appeared to stand in all respects for the "American System" with which Adams and Clay were connected.

Noble was a warm friend of Adams and defended him on several occasions, saying that Adams had seemed to offend less against the Constitution than any other man. He attacked Jackson and his attitude toward the bank. February 22, 1830, during the debate on Foote's resolution, he declared that the United States Bank had established sound currency. He criticized Jackson for declaring the bank unconstitutional, saying that in this he had interfered with the judiciary. He called him self-seeking and expressed it as his opinion that he wanted the bank established under his own control. "Farewell to State's rights," he exclaimed, "when the day comes that the National Bank is established under the arm of a tyrant. Farewell to religious and civil liberties when crowned with a king and consolidated government."

When the First Bank of Indiana at Vincennes failed in 1821, Noble was sent by Secretary of the Treasury Crawford to settle the difficulty between this bank and the United States. This he did to the satisfaction of every one.

Among other things, Noble was interested in the establishment

of postroads in Indiana. At that time the mail was carried on horseback by a man who made the trip once or twice a week. The first year Noble was in the Senate he succeeded in getting a new route established in the Whitewater country, from Hamilton in Ohio, via Brookville, Indiana, up to the west fork of the Whitewater by Connersville to Waterloo, then to Salisbury, Fairfield and Brookville. This business received more and more of his attention as the country settled up.

On several occasions Noble showed an aversion to anything undemocratic. February 28, 1828, he voted against a resolution to wear mourning for the death of General Jacob Brown, commanding general of the army, who won honors in the War of 1812. He said he did not want to establish this precedent. This homage to military men made us too much like a despotic government. He also spoke, March 27, 1828, against a bill for the relief of the wife of General Brown on the ground that he objected to such distinctions. The military fever was everywhere and if continued, the Government would become a tyranny like Athens. He thought the wives of officers ought to be treated as no better than the wives of common soldiers. Besides, he was for economy.

This tendency to economy, which may to us seem like parsimony, is shown in his speech on a bill to purchase the portrait of Washington, by Peale. He opposed this as an extravagance, saying the people would get no good from it and that it would be better to publish the deeds of Washington and make them known to the rising generation.

It must be said of Senator Noble that in all his career in the Senate he was very outspoken and did not hesitate to say what he thought, no matter what others said. This characteristic is shown in a speech January 11, 1828, when he opposed the bill to abolish imprisonment for debt, observing that he would oppose this bill even if he stood alone. He had been abused by the public press for opposing this bill, but he would do his duty. Replying to Colonel R. M. Johnson, of Kentucky, who wanted to get the bill passed because it was his hobby: "Thank God," he said, "he had no hobbies. He stuck to the people."

Noble's outspoken ways often got him into altercations with

other Senators. In this respect he was very different from Senator Hendricks, who was so diplomatic that he never offended any one. An instance occurred in 1828, when Noble gave offense to Johnson of Kentucky by speaking of "long-winded Senators." Noble was accused of "indecorous" conduct. An argument followed which Noble ended by saying that he had accused no particular person of making long-winded speeches.

James Noble cannot be said to have been in the very first rank of Senators. Webster, Calhoun and Benton were the great men of his day. He was not their equal in ability, in eloquence or in influence, but he made a respectable showing with men of less importance. He was faithful in the performance of his duties and regular in attendance in the Senate. In the many debates in which he took part he showed a variety of interests and a fund of information. At times he could be eloquent. He did good service for the West by his advocacy of everything that would aid in its development. The people of Indiana believed in his honesty and integrity and, generally, in his public policies and purposes.

The most prominent trait in his character was his boldness and fearlessness in doing the thing he thought right. He was frank and open in nature so that his motives could be seen by every one. This is shown many times in his speeches.

Noble died Saturday, February 26, 1831. On Monday Senator Hendricks, of Indiana, arose in the Senate to announce his death. He spoke feelingly of the services the deceased Senator had rendered his country and his State; of his character and of the strong ties of friendship that had united them for so many years.

The body was brought into the Senate, followed by the House of Representatives, with President Jackson, the heads of the departments and the judges of the Supreme court. Rev. Mr. Johns, the chaplain to the Senate, delivered an impressive address. Interment was made in the Eastern Branch Burial Ground in Washington.

NEW FACTS ABOUT THE CORYDON STATE HOUSE.

BY ETHEL CLELAND.

[In response to certain inquiries by Senator E. B. Stotsenburg, of New Albany, regarding the early history of the old State House at Corydon, Miss Ethel Cleland, of the State Library, after a careful examination of such source material as exists in the library, made the following report. Senator Stotsenburg's immediate interest was in the purchase and preservation of the historic building by the State.—EDITOR.]

UPON a request for information received by the Legislative Reference Department of the Indiana State Library in regard to "the erection of the first State House at Corydon . . . the bill or bills providing for the purchase of the ground and the erection of the building and the surrender of the ground to Harrison county," the ensuing investigation was undertaken.

After a cursory survey of the subject the question became, to show first whether the State ever owned such ground or buildings, and if not, who did, and by what right the State occupied them. The sources of information consulted are (1) the territorial acts, (2) the early State laws, (3) the early legislative journals, (4) the limited historical material in the State Library on the subject.

(1) TERRITORIAL LAWS.

In 1810 the territorial Legislature passed a law, "providing for fixing the permanent seat of government" (Territorial Laws, 1810, p. 72). In the preamble to this law we find the following:

"Whereas, it appears from an inspection of the map of the territory, a knowledge of the position of the several Indian tribes, and the probable direction of future extinguishments of Indian title, and of future settlements, that a position which will for a great number of years be central both as to extinguished title and population, is to be found within the bounds of the tract ceded to the United States by the late treaty of Fort Wayne; And whereas, the circumstance of the said tract being unbroken upon by purchasers and still the property of the United States, affords an op-

portunity of selecting a proper site for a seat of government, which, if procured on account of the territory, either by purchase or donation from the United States, and the proceeds of the sale of the lots appropriated to the erection of public building, would be the means of procuring the speedy completion of said building and relieve the people from a very considerable burden."

The law, briefly, appoints commissioners to select a site, provides for a petition to Congress to grant to the territory the right of locating within the bounds of the tract mentioned in the preamble, gives the location of the tract, suggests the location of the site, and provides for filling vacancies among the commissioners. It outlines their duties in a general way, the reports to be made and the action of the Governor in case of a disagreement among the commissioners (giving him power to locate the site in such case). If the United States should refuse to give the territory a tract of land, the Governor is authorized to buy a tract of land, borrowing the money, if necessary.

How far the provisions of this act were carried out finally, what reports were made to the Governor, etc., it has been impossible to find out. In the *Western Sun* of June 8, 1811, in a summary of the legislation enacted in 1810, brief mention is made of this act and in the same paper of December 28, 1811, in the resume of legislation of 1811, it is stated that the question was up constantly for a debate during that session—Madison having been particularly advocated as the new capital—but no action was taken.

In 1813 Corydon was fixed as the seat of government by "An act to remove the seat of government from the town of Vincennes to the town of Corydon, in the county of Harrison" (*Territorial Laws*, 1813, p. 51). This act is entirely silent on the subject of property or quarters to be occupied by the Legislature or the judges of the general court. In the laws of the same year, (1813, p. 80), an appropriation is made to one Mark Barnett "for rent of two rooms for the use of both houses of Legislature during the present session," which, of course, was held in Vincennes, showing that the Legislature rented quarters previous to removing to Corydon.

The territorial laws of 1814 contain nothing bearing on this question. In the territorial laws of 1815 we find (p. 72) an appropriation to Elizabeth Spencer for house rent, but it does not state that it was for the use of the Legislature. However, a joint resolution of the same year (p. 117) grants the same person "a further allowance for candles and house rent for the present session." From this it would seem that the Legislature rented quarters when the capital was first removed to Corydon. Another resolution of 1815 (p. 115) bears so directly on the courthouse (later called State House) of Corydon that it is quoted in full:

"A resolution for the relief of Dennis Pennington.

"Whereas, it has been represented to this Legislature, that Dennis Pennington, who was the undertaker for erecting the Court House in Corydon, in consequence of not receiving the money as contracted to be paid, has been compelled to pay a considerable sum, in interest, etc. And whereas, the circuit court for Harrison county, do not conceive, that they have any power, by any existing law, to give the said Pennington relief,

"Therefore, Be it resolved by the Legislative Council and House of Representatives, That the associate judges for the county of Harrison be, and they are hereby authorized to make to said Pennington, any other and further allowance, as from a view of the whole circumstance, shall be considered by them equitable and just, to be paid out of the county funds as in other cases.

"This resolution to take effect from its passage."

(2) EARLY STATE LAWS.

In 1816 the Constitutional Convention fixed the seat of government at Corydon "until the year 1825, and until removed by law" (Journal of the Constitutional Convention of 1816, p. 61). In the Federal Enabling Act of 1816 four sections of land are granted to the State for the purpose of fixing the seat of government thereon. The Legislature in 1820 (Laws of 1819-20, p. 18) appointed "Commissioners to select and locate a site for the perma-

nent seat of government." But neither in this act nor in the subsequent acts of 1821, 1822, 1823, 1824 and 1825 is there any mention of State property and buildings in Corydon or the disposal thereof, except, in a joint resolution of 1824 (Laws of 1823-24, p. 113) the State Treasurer is authorized to sell such furniture belonging to the State as could not be removed to Indianapolis. There are three other resolutions that seem to have a bearing on the question—one in 1816 (Laws of 1816, p. 249) in which the Legislature adjourned the circuit court from the courthouse in Harrison county to meet in the seminary in Corydon while the Legislature was in session; a similar resolution in 1820 (Laws of 1820-21, p. 132) adjourning the circuit court to meet in a private house, at the date the Legislature convened; while another resolution of the same session (Laws of 1820-21, p. 142) authorizes repairs to the "State House" for the next session of the Legislature (evidently the building was known indiscriminately as "Court House" and "State House"), these repairs to be paid for from the State treasury.

(3) EARLY LEGISLATIVE JOURNALS.

In the Senate Journal of 1816-17 (p. 22) we find the following: "Resolved, By the Senate that the select committee to whom was referred an investigation of private engagements to provide a house for the Governor, etc., etc., be instructed to enquire what is the situation of the right of occupancy of the General Assembly to the Court House of the county of Harrison, and what privileges have been granted by the county court or citizens of said county, and what measures may be necessary to be adopted for the future accommodation of the Legislature during the continuance of the seat of government at Corydon, and that the House of Representatives be requested to give similar instructions to their committee with leave to report thereon."

A similar resolution was adopted in the House (House Journal, 1816-17, p. 27), and a joint committee was appointed to investigate the matter (Senate Journal, 1816-17, p. 23, and House Journal, 1816-17, p. 27). The report of this committee is found on page 57 of the House Journal of 1816-17, as follows:

"Your committee have made the enquiry into the right of occupancy of the Court House in Corydon for the use of the State, and find that the associate judges of Harrison county, June term, special court 1816, made the following order, to-wit:

"'Ordered, That the Court House of Harrison county in the town of Corydon, be tendered to the Territorial and State Legislature, for their use as a State House so long as Corydon shall remain the seat of government.'

"If the courthouse be sufficiently guaranteed to the General Assembly of the State of Indiana by the above order, your committee would recommend to the General Assembly to devote the room occupied by the clerk's office in the Court House, to the Auditor for an office, and that another room in said house be devoted to the Secretary of State for an office, and further we would recommend that the books and papers belonging to the legislative department be deposited in the secretary's office.

"The committee are decidedly of opinion that more substantial assurances ought to be given to the General Assembly by the citizens or court of Harrison county, for the use of the Court House for the benefit of the State while the seat of government remains at Corydon."

(4) HISTORICAL MATERIAL.

From a pamphlet by William H. Roose, "Indiana's Birthplace, a History of Harrison County, Indiana," in which, however, no citations are made as to authorities, we find (p. 21), that on the 9th day of March, 1809, a contract was let to Dennis Pennington by certain judges for the building of a courthouse, which was built in 1811 and 1812. From this it would appear that the courthouse, which was the same building later known as the State House, was contracted for a year before the plan of changing the capital from Vincennes was put forward and completed a year before it was decided that Corydon should be the capital.

Another interesting agreement, similar to the one which we have shown was made as regards the quarters of the Legislature in the courthouse, was a contract entered into by citizens of Harrison county to furnish a convenient dwelling for the Governor,

and, it would appear, to pay certain sums of money for the use of the State, which was also the subject of investigation at this time (Session of 1816-17). In the Treasurer's and Auditor's Reports of 1816 (Senate Journal, 1817-18, p. 19); 1817 (Senate Journal, 1818-19, p. 39); 1820 (Senate Journal, 1820-21, p. 29); 1821-22 (Laws of 1822-23, p. 155); and no doubt in others not completely investigated, we find, in the receipts of money by the State, sums recovered from sundry citizens of Harrison county on suit instituted on bond executed by them.

DENNIS PENNINGTON AND THE OLD STATE HOUSE.

[D. T. Stephenson, in *The Indianapolis News*.]

When a mere boy I frequently saw the Hon. Dennis Pennington at my father's home in Corydon, and I have some little recollection of some of their talks of the building of the stone structure at Corydon.

As I now recall, General Harrison used to put up at Corydon overnight in his visits from his Ohio home to his mill west of Corydon, and also in going to and from the territorial capital at Vincennes, and was so favorably impressed with its location that the people of Corydon and Harrison county had the general's assurance that Corydon should have the territorial seat of government, and that the material and size of the building was measurably determined by General Harrison's suggestions. My father came to Corydon from Ohio in 1819, and Mr. Pennington was among one of his first acquaintances formed on his arrival in Indiana, and continued during the remainder of Mr. Pennington's life.

While I do not know anything of the records relative to the construction, I was impressed by Mr. Pennington's line of narration that the building was built with the view of being used for occupancy as territorial and State capitol building.

THE ATTICA WAR.

BY *LUCAS NEBEKER.*

[Of the following article the author says: "I wrote it when I was a boy, more than fifty years ago, and I interviewed quite a number of men who knew all about it. All of these are dead now except Mr. H. A. Martin, who is now ninety-four years old." Mr. Nebeker adds that his original article, which was never printed, was lost forty years ago. He rewrote it, at the request of Professor J. A. Woodburn, after refreshing his memory by an interview with Mr. Martin.—EDITOR.]

COVINGTON and Attica were both laid out about 1826, a short time after the settlement of that part of Indiana began. Both towns were built upon the left bank of the Wabash river, it being at that time, and until the completion of the Wabash & Erie canal, the only highway of commerce in or anywhere near that region.

Throughout the early history of Fountain county, each town regarded the other as a menace to its welfare and prosperity, and many of the people of each town believed that the other town ought not to exist. This feeling of bitterness and jealousy culminated in 1846 in a rough and tumble fight between a large number of the leading citizens of each town, an affair now almost forgotten, but for a great many years known as the "Attica War."

The building of the canal from Toledo, west and south, was begun before 1840, and as the natural descent in that direction was greater than the descent which the canal should have, it was built in sections or levels, with a lock wherever two sections met, to raise or lower canal boats from one level to the other. From Attica to Covington, a distance of fourteen miles, the one section or level was completed in 1846, but it was useless, because it contained no water.

The first filling of any level was somewhat of a problem, as an immense amount of water was required, but when once filled only a moderate further supply was necessary, and the filling of each level was accomplished partly by drawing from the level above already filled and partly by raising one or more streams, by means of a feeder dam, up to the canal level.

The section above Attica, being previously constructed, had become filled and an immense business was being done on the canal, with Attica as the western terminus for the time being, and that town was in the enjoyment of prosperity never dreamed of before. The section from Attica to Covington was entirely dry, and, as the season was dry, the accumulation of water in Shawnee creek behind the dam was so exceedingly slow that the prospects for canal transportation and escape from the old methods of the flatboat and the occasional and irregular steamboat were not very flattering. It was at first supposed and expected that the managers of the canal would open the lock and allow the water to come down as fast as it could be spared from the upper level, but, after waiting for some time in vain, it was learned that the people of Attica had taken control of the situation and refused to allow the lock there to be opened.

Hon. Edward A. Hannegan, then and for several years before and after that time one of the United States Senators from Indiana, accompanied by a delegation of citizens, made a visit to Attica in an attempt to dissuade those people from interference with the canal lock. Just what kind of a reception they met, and what response was made to their appeals and arguments, seems never to have been reported by them. They were furious, however, when they returned, and they proceeded to fire an old cannon, numerous times and rapidly. The people assembled, with the result that a raid was organized.

Early on the following morning about fifty leading citizens, including some farmers who had heard the firing of shots, and including Mr. Hannegan, started to Attica along the road known as the River road, some on horseback, others in wagons, armed with clubs and other simple weapons. Meanwhile the people of Attica did not remain idle or unprepared. They knew, either from remarks of the delegates or the shots of the cannon, that trouble was imminent, and they raised and sent a squad of men in a wagon, armed with guns, down the River road to intercept and possibly turn back the expedition from Covington. All business was closed and the citizens generally assembled at the canal lock, armed with clubs. The invaders met the squad and quickly surrounded, captured and disarmed all of them, and proceeded on

their way with little delay, and presently arrived at the lock, where a warm reception awaited them. E. M. McDonald (Zeke) was the leader, or one of the leaders, of the Attica forces, and close behind him were his two brothers, Johnson and Joseph E., the latter becoming many years after a distinguished lawyer and statesman, he being the United States Senator of that name. Mr. Hannegan was of course prominent in the fight which took place, though his friends have admitted that he aided the cause principally with his voice and by his eloquence.

Hezekiah A. Martin, of Covington, now ninety-four years of age, is the only surviving participant, so far as known, on either side of that conflict. His impression at the time was that the battle was a fierce and bloody one, though it turned out that no combatant was killed or seriously injured. William Wood struck the Attica leader, McDonald, a blow which sent him into the deep water at the lock, and was about to strike him another blow with his club, when Hannegan called upon Wood to desist, and thereby saved the life of a very clever gentleman.

As to the reasons why no casualties occurred, beyond a great many bruises, the writer ventures the opinion, based partly upon a dim recollection of interviews had more than fifty years ago with participants on both sides, now lost and forgotten, and partly upon the easy capture of the armed squad, that the Attica people were not so deeply in earnest as their antagonists, and really did not desire to kill or injure any of the good citizens of Covington, and that their demonstration was for the purpose of scaring away their assailants. However that may be, the purpose of the Covington warriors and their expedition was finally accomplished, the lock was open and the water turned loose down into the lower level, and was kept running without further interference.

Thus ended an affair which, viewed from the standpoint of the present, seems like a farce, but fifty years ago it was talked about seriously as the "Attica War," and to those who participated it never was a joke. It should be added that the results were disappointing. The lower level was tolerably well filled up, but no boats could get down into it from the east. So much water was drawn out of the upper level that all the canal boats

which happened to be on that section were stranded in the mud in the bottom of the canal. In view of this sequel we can hardly wonder that the people of Attica objected to having their section of the canal drained of its water supply.

This unfortunate condition was soon afterward relieved, however, by heavy rainfalls, which filled up the feeders and filled the canal. For many years, and even after the construction of the railroads, the Wabash & Erie canal was a great boon to all the communities along its route, furnishing cheaply all the transportation which it was then thought would ever be needed.

REPRINTS

CONCERNING THE HOOSIER.

AN APPRECIATION.

[Charles M. Walker, in *The Indianapolis News*, January 4, 1908.]

THE evolution of the twentieth century "Hoosier" furnishes an interesting sociological study. Perhaps, as the question affects the people of an entire commonwealth, it might be termed a racial problem rather than a sociological study. For although the twentieth century Hoosier is a distinct product, quite *sui generis*, he is more impressive in mass than he is as a separate entity. Not that he lacks individuality, for that is one of his strong points, but because a certain innate modesty, due perhaps to conscious merit, prevents him from appearing to so decided advantage in his individual capacity as he does in his communal relation. As mere man he is not remarkably differentiated from other men, but as a citizen of Indiana he expands wonderfully. In and of himself he is not an extraordinary person, but with his State for a background he is many times magnified.

In 1842, when Robert Dale Owen was a Representative in Congress from Indiana, a member from Maryland, during a debate on the tariff, twitted him with being a foreigner. In his reply Mr. Owen turned the point very neatly by saying: "Mr. Speaker, the

gentleman from Maryland is an American by chance; I am one by choice. I had no control over the place of my birth; could I have chosen the spot it would have been in the pocket of Indiana."

Mr. Owen was one of the most cultured men that ever served in American public life. At the time referred to he was living in Posey county, long known as "the pocket" on account of its peculiar shape and being the extreme southwestern county in the State. So, in avowing his choice of a birthplace Mr. Owen, who had traveled extensively and had the world before him where to choose, declared his willingness to accept the title of "Hoosier" and selected the county which of all others in the State has been most widely and most unjustly ridiculed as the supposed headquarters of Hoosier uncouthness. At that time Mr. Owen had lived in Indiana about fifteen years—long enough to have learned that there was no better State in the Union and no better county in the State than Posey. He continued to be proud of the State of his adoption while he lived and never failed to improve an opportunity to display the feeling.

The incident serves to illustrate a characteristic of Indianians which has become conspicuous in recent years, namely, their State pride. Another incident illustrates the same characteristic. At the beginning of the civil war Colonel, afterward General Lew Wallace's regiment was the first one to be mustered in from Indiana.

GENERAL WALLACE'S STORY.

After the mustering in, the regiment was drawn up for a flag presentation. This was done with a speech and then Wallace made one himself. Let him tell the story:

"I turned, the colors in my hand, to the regiment, then, like myself, all wrought up. 'My men,' I said, 'you all know of the battle of Buena Vista—20,000 Mexican soldiers against 4,000 Americans; yet the victory was with our flag. You know also, that Indiana was represented there by two regiments, the Second and Third. The Third did not yield an inch of ground. The Second was less fortunate. While fighting single-handed two divisions of the enemy, full 7,000 strong, eighteen to one—in the midst of their well doing their colonel's heart failed him and he ordered a retreat. He sent no flag back to be rallied on—he took no step whatever looking to a rally. "Cease firing and retreat,"

he called out, and as they stopped fighting and looked at him in wonder, again he called out, "Cease firing and retreat." There had been but 360 of them in line in the beginning, and of that total ninety were upon the ground, dead or wounded. Now, all who could obeyed the order of their colonel and broke to the rear—in flight, if you please. Still, the greater body of them rallied, and under their own flag and officers kept the field, fighting the remainder of the day, their colonel having abandoned them and found a Mississippi regiment as a private.

JEFFERSON DAVIS'S WRONG TO INDIANA.

"'Now, the regiment the colonel joined was commanded by Jefferson Davis, whom you all know as a leader of the unrighteous rebellion we are going to help quell. That day he assisted in proclaiming the Second Indiana cowards, if, indeed, he did not originate the accusation. He was the son-in-law of the general commanding our army, and he induced that officer to repeat the slander in his official report. The sorry tale I have now to tell you clings to the brave men of the Second Regiment, the living and the dead. It sticks to the State no less. The stain is upon you and me. It attaches to these flags just received, because they are now our property, and we of Indiana. So what have we to do, my men? What but to recognize that the war we are summoned to is twice holy—for the Union first, then to wipe the blot from our State and infamize our slanderer?"

"'And that we may not forget our duty, that it may be always present, and never more so than in battle, soldiers of the Eleventh Indiana, I give you a regimental motto leveled at the man who, from having been vilifier, has become the arch-traitor of his country. Kneel every one of you.'

"They went down like one man.

"'Hold up your right hands.'

"Every hand was raised.

"'Repeat after me, and swear now, "God helping us, we will remember Buena Vista." There you have a motto, "Remember Buena Vista."'

"They took the oath and accepted the motto. The witnesses of the scene shouted, their eyes full of tears. We all went back to our quarters better soldiers than when we left them."

APPEAL TO STATE PRIDE WENT HOME.

Wallace was a native Indianian, and his appeal was to the sentiment of State pride. It went home and its effect was felt among all Indiana regiments during the war. The sentiment is still active. Wherever natives of the State are encountered—and they are very widely disseminated—this feeling is much in evidence. There are organized societies of Indianians in Washington, in New York, in Chicago, in Cleveland, in St. Louis, in Minneapolis, in Denver, in Iowa, in Kansas, in Oklahoma and in Alaska. These societies, composed of men and women born in Indiana and now identified with other communities, hold annual meetings and banquets to keep alive the memories of their native State, to keep in touch with one another and to advertise to the world their pride in the State of their birth. They include educators, ministers, statesmen, publicists, playwrights, authors, artists, journalists, scientists, inventors, railroad magnates, travelers, explorers, capitalists, promoters—in short, representatives of every phase of modern life. Thus the cosmopolitan and progressive influence of the State is felt in all directions.

The sentiment which holds these various societies together is the more remarkable because Indiana is still comparatively a young State. Her people are just beginning to talk about celebrating the centennial of her admission to the Union, and it will not be due until 1916. When, in 1784, Thomas Jefferson proposed to form seventeen new States out of the Northwestern Territory, he suggested for them such names as Chersonesus, Michigania, Metropotamia, Polypotamia, Pelisipia and other polysyllabic monstrosities.

THE NAME OF INDIANA.

The name Indiana was not yet thought of and did not come into use until 1800, when the Northwest Territory was first divided by the setting apart of Ohio, leaving Indiana as the name of what remained of the Territory. In 1816 the name fell to the second State carved out of the vast domain and Indiana entered on a course of development which has been in some respects remarkable. The State has a number of inhabitants whose birth antedates its admission to the Union, and yet within this compara-

tively short period it has attained a rank second to none in all the elements of high civilization. It has been called the Massachusetts of the West, and many of its traveled citizens consider this comparison a compliment to the older State. It may be worth while to look a little into the genesis and development of a State which so cultured a foreigner as Robert Dale Owen was proud to adopt nearly seventy years ago and whose sons are so proud of it to-day.

ORIGIN OF THE WORD "HOOSIER."

And first as to the word "Hoosier," which is now universally recognized as the synonym of Indianian. "Words are things," and without doubt this word has had a certain subtle influence in the development of Indiana character. Its origin is unknown. It first appeared in print as applied to the people of Indiana about 1830, though no reason has ever been discovered why it should have been applied to them more than to the pioneer settlers of any other Western State. Most of the early attempts to trace its origin or etymology, including those adopted by some of the compilers of dictionaries, were too ridiculous for serious consideration. It certainly did not originate in Indiana, nor was it first applied to the people of this State.

It is, doubtless, of old English origin, and was used in some parts of the South at an early day, locally and colloquially, to designate an uncouth, boorish person. In this sense it may possibly have been derived from "Hosier," which, in old English, was sometimes used as synonymous with a low, vulgar fellow. In 1574, an English author wrote of "vulgar, obscure persons, like hosiers and tanners," and Jonathan Swift, in 1731, wrote: "You are as arrant a cockney as any hosier in Cheapside." This suggestion as to the origin of the word is purely conjectural, but is more reasonable than some of those adopted by lexicographers.

This much is certain: The word is of English origin, was used in the South at any early day to designate an uncouth, boorish person and was originally applied to the people of Indiana in derision or ridicule. It came to Indiana from the South, as did also many of the pioneer settlers of the State. As far as known, its first appearance in print was in a poem entitled "The Hoosier's Nest," published in 1830. John Finley, the author of the poem,

was a clever versifier of the period, and used the term "Hoosier" in a friendly sense. He was a Virginian by birth, had lived in Indiana only seven years when the poem was published, and may have brought the word with him from Virginia.

PICTURE OF THE HOOSIER OF 1839.

In 1839, nine years after the first appearance of the word in print, the New Orleans Picayune gave a picture of the Hoosier of that period, who came down the river with his flatboat load of produce. It said:

"There is a primitive and pristine simplicity of character and independence of mind about a Hoosier that pleases us much. His step is as untrammelled by the artifices of fashion and as free from the constraint of foppery as the mighty rivers of the West are from destruction in their impetuous course to the ocean, or as the path of the buffalo herd over the wild prairie. Born on the fructuous soil of freedom, and unchecked in his growth by avarice or dissimulation, he rises to manhood with a mind unwarped and a spirit unbent like the trees of the forest around him. He loves liberty—loves it in his heart's core; he would fight, he would die for it. He cries from his soul, 'Long live liberty,' because the instinct of his free and unsophisticated nature tells him that it is the inestimable birthright and heritage of man, and he thinks that to live without it is as impossible as to exist without the free air that wantons around his Western home. He may be ignorant of the use of the eyeglass, but is his aim with the rifle less deadly? He may not be able to discuss the merits of the last novel, but thinkest thou that he is ignorant of the cardinal principles of liberty? In a word, he may not be a thing with his face hid in a stock, long hair and a shirt collar, but might not more confidence be placed in his brawny arm in time of war than in a whole regiment of such men of doubtful gender?

"We do love to see a Hoosier roll along the levee with the proceeds of the cargo of his flatboat in his pocket. It is the wages of industry, and no lordly ecclesiastic or titled layman dares claim a cent of it. See with what pity he regards those who are confined to the unchanging monotony of a city life, and observe how he despises the uniformity of dress. He has just donned a new

blue dress coat with silk linings and flowered gilt buttons. His new trousers look rather short for the present fashion, but this is easily accounted for—they were of stocking fit or French cut at the instep, and thinking they pressed rather close, he has curtailed them of some six inches of their fair proportions. He glories in still sporting the same unpolished big boots, and the woolen, round-topped, wide-leaved hat in which he set out from home. The Hoosier says, or seems to say—"A life in the woods for me," and his happy and independent life attests the wisdom of his choice."

NOT THE SAME HOOSIER NOW.

This is a pretty good bit of humor, barring the Johnsonian English, and pictures the Hoosier of that day as he appeared in New Orleans as an original type with his future before him. Since then it has come. Times have changed and the Hoosier has changed with them. He is at home now in all the cities from Chicago to Paris, and if one undertakes to discuss the merits of the last novel with him, one is likely to find that the Hoosier wrote it.

The nicknames of some other Western States are quite as obscure in their origin as the word Hoosier. That of Ohio is easily accounted for by the early prevalence of the buckeye tree in that State. But why are Illinoisans called "Suckers" and Missourians "Pukes"? These names are said to have originated in the Galena lead mines. A local historian of Illinois says: "Late in the fall of 1826 I was standing on the levee of what is now Galena, watching a number of our Illinois boys go on board of a steamboat bound down the river, when a man from Missouri stepped up and asked: 'Boys, where are you going?' The answer was 'Home.' 'Well,' he replied, 'you put me in mind of suckers; up in the spring, spawn, and all return in the fall.' From this the appellation 'Suckers' stuck to Illinoisans. The following spring the Missourians poured into the mining regions in such numbers that the State was said to have had a puke, and the name of 'Pukes' was thenceforward applied to all Missourians." This may be the true origin of those words, for slang phrases and epithets of that kind often originate among rough frontier characters. There is this difference, however, between the nicknames applied to the State last named and the one applied to Indiana—the people of

those States have repudiated and resented their nicknames, while Indianians accepted the term "Hoosier" and proceeded to glorify it. If they had "kicked" and protested against the injustice of the appellation it would have stuck to them all the closer and they would have got nothing out of it but humiliation, whereas, by adopting the other course, they disarmed ridicule and surrounded the word with a halo of new and historic meaning.

MUCH DUE TO ANCESTORS.

The twentieth century Hoosier owes much in the way of moral and intellectual qualities to his ancestors. He is a composite character and represents an unusual commingling of breeds and bloods. Indiana Territory began to be settled soon after the close of the revolutionary war, and the pioneers of the State represented the best blood of the new American nation and of foreign nations as well. The men who fought the revolutionary war to a successful finish were no weaklings, and large numbers of them came to Indiana. The early immigration to the State consisted of two main streams, one from the northern Atlantic States and Pennsylvania, and the other from Virginia, the Carolinas and Kentucky. It included revolutionary soldiers, representatives of prominent families in the original colonies, frontier men, illiterates and scholars, native and foreign born, adventurers and home-seekers, speculators and empire builders, men of pure blood and of mixed Americans, English, Irish and Scotch, men of various antecedents, ideals and ambitions, but all imbued with the idea that Indiana was a land of promise, and with a purpose to make it a land of fulfillment.

A large element of the early immigration was the so-called Scotch-Irish. This is one of the best strains of blood that has gone to the making of the American nation. From the foundation of the Government to the present time it has contributed largely to the leaders in American progress and to the list of notable men in public and private life. No less than seven of our Presidents have been of Scotch-Irish descent on one or both sides, including Benjamin Harrison, McKinley and Roosevelt. In Indiana such men as Vice-President Hendricks, United States Senator Joseph E. McDonald, Secretary of the Treasury Hugh

McCulloch and many others of like character came of this stock. Several Governors of the State were of the same stock.

SCOTCH-IRISH AND QUAKER BLOOD.

Local literature, of which Indianians are justly proud and which has enriched that of the nation, draws much of the inspiration from Scotch or Scotch-Irish blood. General Lew Wallace says in his autobiography: "Mine were folk who cared little for ancestors. The grandmother on the paternal side was an exception. A correspondent writes me of hearing her speak often and proudly of her uncle, John Paul, he of the famous surname Jones." John Paul Jones was Scotch and Wallace was of Scotch-Irish descent. Among the soldiers who served under General George Rogers Clark and who drew their quota of lands in Clark's grant, was one named David Wallace. This was the name of General Lew Wallace's father, and the soldier was doubtless a collateral relative. The surname and the Christian name are both Scotch. Meredith Nicholson, the novelist, is of Scotch-Irish descent. His grandfather was born in North Carolina and his father in Kentucky, showing that the family reached Indiana from Ireland by way of those States. The Scotch-Irish made a deep and lasting mark in Indiana.

Another fine strain of blood toward making the composite Hoosier character was that of the Quakers. These sterling people settled in North Carolina at an early day in large numbers and in later years many of them emigrated from that State to Indiana. Beginning about 1800 and for many years following, thousands of them left their Southern homes for Indiana. Many came also from Pennsylvania. In 1850 it was roughly estimated that one-third of the population of the State was made up of North Carolinians and their children.

Wherever the Quakers settled they built first a "meeting-house" and next a schoolhouse. They impressed their influence on the population very distinctly and it always made for political progress and civic righteousness. At an early day they were largely instrumental by their votes in making Indiana a free State after a struggle of several years by the friends of slavery to establish that institution and in many other moral and political crises they helped to place and keep the State on right lines. The

twentieth century Hoosier owes more than he knows for the present standing of the State to these undemonstrative but steady friends of good morals and good government.

During the first decade of the nineteenth century the population of Indiana increased more than 400 per cent. This was making new blood at a rapid rate. It was also the beginning of the movement of the center of population of the United States toward Indiana. In 1790 this center was twenty-two miles east of Baltimore; now it is about fifty miles south of Indianapolis.

The people of Indiana began to develop character and attract attention at an early day. In 1819 there was published at Edinburgh, Scotland, "a statistical, political and historical account of the United States of North America from the period of their first colonization to the present day" by D. B. Warden. In treating of Indiana the author said:

"This State is but recently settled; but many of the settlers are of a respectable class and their manners are more refined than could be expected in a place where society is but in its infancy. They are sober and industrious; drunkenness is rare and quarrelling rare in proportion. They set a high value on the right of personal resistance to aggression. They possess great energy of character and, though they respect the laws generally, do not hesitate sometimes to redress what they consider a public injury by a more summary mode of proceeding."

This writer wrote at long range, but he hit off the character of the people fairly well. The Hoosier had not yet found his distinctive sobriquet, but he was already developing individuality. The meeting of different nationalities and the commingling of bloods which was to result in developing a new type of American had already begun to work.

INDIANA AN IDEA-DEVELOPING STATE.

At a Chautauqua assemblage in an Indiana town not long ago Opie Read, an author of some note, gave a theory for the unusual number of books that originate in Indiana. "In Indiana," he said, "there are more individuals, more characters, that is, people who do not think just as others do, more people of ideas; hence more books are produced here than elsewhere. Indiana is the meeting

point of the North and the South, where new ideas are interchanged and new theories developed."

This speaker from another State had evidently grasped two points: (1) That the commingling of bloods in the early settlement of the State resulted in the production of a people of unusual individuality; and (2) that the geographical location of the State, "the meeting point of the North and the South," makes it a breeding ground of ideas. It is the meeting point of the East and West, as well as of the North and South. From the earliest historic period every Indian trail from the East to the Mississippi river crossed the State; in later years the National road traversed its entire width, and now the great bulk of transcontinental traffic crosses its borders. The cosmopolitan spirit of its people, first determined by the character of its early settlers, has been emphasized by physical conditions.

It was to be expected that so virile a people, living in an atmosphere favorable to the growth of individuality, should do good work in the way of empire building and social progress. And so they have. The twentieth century Hoosier can "point with pride" to one of the cleanest and best State governments in the Union and one of the most advanced in respect of legislation. The State has been conspicuously free from political corruption on a large scale and from scandals in public life. Its political honors have never been bought and sold. It has never been controlled by corporations or trusts. It has never sent a multi-millionaire to the United States Senate.

Its public men who have become distinguished in national politics have been noted for their integrity. Its great war Governor, Oliver P. Morton, who handled millions upon millions of money during the civil war and served for years afterward in the United States Senate, died poor. There has never been a charge of "graft" in the erection of any of its public institutions. Its present State House, one of the finest in the country, was built within the original appropriation made for its erection. No political bosses had a hand in its construction, and no favorite contractors were given an opportunity to enrich themselves by farming out contracts.

The State was among the first to adopt the Australian ballot

law, which, fortified by other good election laws, has placed it in the front rank of electoral reform. It was one of the earliest among the States in advocating civil service reform, taking the State institutions out of politics and basing their management on the merit system. All of its public institutions are now on a non-partisan basis.

It was the first State to establish a separate prison for women, under the exclusive control of a woman superintendent and women managers. It has made greater advance in prison reform and in administering outdoor charity than any other State. According to recent statistics, Indiana, with a population by the last census of 2,516,462, had 3,335 persons in poorhouses, while Massachusetts, with a population of 2,805,346, had 5,387.

BEST CHILD-SAVING LAWS.

Indiana has the best child-saving laws of any State in the Union. Its parole and indeterminate sentence laws are the best of any State. It was the first State to have a law providing for a board of children's guardians, by which unfortunate children are rescued from vicious influence and environments and placed in good private homes instead of public institutions. Copies of its laws on these subjects have been sought for by the authorities of many other States.

Its juvenile court law is the best of any State in the Union and was highly praised in a discussion in the International Prisons' Congress at Buda-Pesth. The New Jersey Review of Charities and Correction, under the caption, "Indiana Leads the Way," quotes with strong approval some of the progressive laws passed by the last Legislature. Charities and Commons, an organ of social reform, says: "A full catalogue of the new Indiana law would show a notable advance in rounding out the State system of public relief and in relating statutes, administration and institutions to the human needs of the people."

STEADY PROGRESS IN EDUCATION.

The history of the State during the first century of its existence has been one of steady progress in educational facilities. In the infancy of the State there was a deficiency in this regard, but this

was due to the period rather than to the people. The subjugation of the wilderness had to precede the cultivation of literature, but the latter was simply postponed to more pressing needs.

At present the educational facilities of the State, as a whole, are not surpassed by those of any State in the Union. Its public school system is regarded by all educators as one of the best organized and best administered of any State, and its universities, colleges, technical schools, normal schools and sectarian institutions furnish ample facilities for higher learning. College-bred Indianians, educated in Indiana, are found in professional chairs and other positions requiring liberal education in all parts of the country. A census of the State University, made six years ago, showed that at that time its alumni included fifty-one college presidents, 129 college professors, 104 city and county superintendents of schools and 1,024 teachers. This was the record of only one institution out of more than a dozen.

LEADS IN TWENTIETH-CENTURY IDEA.

All intelligent public educators now agree that an ideal free public school system means extending equal opportunities to all the children of the State alike—those living in the country, as well as those living in cities and towns. No other State is applying this idea as broadly and successfully as Indiana. It is doing so by the consolidation of district or country schools, reducing their number and improving their quality by combination, and transporting the more distant pupils to the central township graded school at the public expense. This is the twentieth century idea of public school progress, and in it Indiana takes the lead.

The census of 1900 shows that the percentage of illiterates is lower in Indiana than it is in any New England State, or in New York, New Jersey or Pennsylvania.

School and Home Education, the educational organ of Illinois, says: "Our neighbor on the East is still in the forefront of all the States in the Mississippi valley in educational legislation."

PRAISED BY OTHER STATES.

Reference has already been made to the fact that all of the State benevolent, penal and reformatory institutions are conducted on a strictly nonpartisan basis, and it may be added they

are conducted with an efficiency that challenges the admiration of officials of other States. Governor Durbin, in his biennial message of 1905, after commenting on the remarkable growth in the State's industrial interests during the last decade, said:

"The progress of the State has not been confined to material development; we have kept pace with the most advanced among our American commonwealths in almost every phase of activity which has claimed the attention of States in the light of a broadening conception of the State's duty toward its citizenship. Our public service has been free from scandal; we have permanently established a precedent more powerful than any statute, that the State's business demands and must receive the same intelligent and jealous care that the honest and prudent business man gives to his private concerns or to the trusts which others have imposed upon him. We have fostered education, we have amplified the beneficence of our benevolent and charitable institutions, not simply by adding brick and mortar to them, but by infusing into their administration more of the spirit of responsibility to the people, and to the State's unfortunate wards. We may safely at this time throw open the doors of every Indiana State institution to the broad light of day without fear that scrutiny will bring reproach."

PROGRESSIVE METHODS EMPLOYED.

These words were true when spoken, and during the two years that have since elapsed, the State has made more progress on the lines indicated than it ever did in any like period before. The management of all the State institutions is progressive, and such as to attract wide attention and commendation. The Central Hospital for the Insane, at Indianapolis, has a pathological department, the first of its kind in the country, which is doing work of a high order. To extend the usefulness of the department to the physicians of the State generally, and to medical students and persons particularly interested, clinics and autopsies are held from time to time, and regular courses of lectures are delivered on subjects connected with the treatment of the insane. No other similar institution in the country is doing as good work in this line.

Under the operation of the indeterminate sentence law and

other progressive and humane methods, the State Reformatory, formerly the southern prison, is doing excellent work in the way of educating and reforming convicts who are not hardened criminals. In this prison all labor contracts have ceased and the industries retained have become an integral part of the trade school system of the institution. The work that is being done in this institution continues and supplements that which is so well done in the School for Boys.

SEPARATE SCHOOL FOR GIRLS.

The State School for Girls has recently been separated from the Women's Prison, thus doing away with the objectionable feature of having comparatively innocent girls under the same roof with convicts, even though in disconnected parts of the building. The new School for Girls has been established on the cottage plan under conditions which promise the best possible results.

The Indiana School for Feeble-Minded Youth is conceded to be the best managed institution of the kind in the country. In the way of legislation in the interest of children the State has a compulsory education law, a child labor law, a law prohibiting the retention of children in county asylums, a State agency for dependent children to place them in private homes, a law providing for the appointment of township boards of children's guardians, a Soldiers and Sailors' Orphans' Home, and other semi-public agencies to care for dependent or delinquent juveniles. Such legislation is indicative of high civilization.

A site consisting of 1,200 acres has been purchased for a Village for Epileptics, two buildings have been completed and patients are being received. The complete development of this institution will be a work of many years, but the State is fully committed to the work. Indiana is the first State to enact a law authorizing a surgical operation designed to prevent procreation of confirmed criminals.

PROGRESSIVE CRIMINAL LAW.

It also has a law, the effects of which will be far-reaching, providing life imprisonment for habitual criminals, and another law authorizing circuit and criminal courts to suspend sentence and

parole persons convicted of crimes or misdemeanors. All this is progressive and humane legislation.

It is believed that the State Railroad Commission of Indiana, created in 1905, is doing more effective work in the way of regulating and controlling railroads than the commission of any other State. The last Legislature passed a law providing for the daily deposit of all public funds in designated depositories, and for accounting to the proper authorities for all interest on such funds. This does away with an abuse of long standing.

The advancing standard of public morals, which requires a stricter accountability in public officials, makes itself felt also in a general demand for a stricter enforcement of law, the result being a more rigid enforcement than ever before of the laws regulating saloons, a marked decrease in their number and a material lessening of the drink evil.

The last Legislature passed an act for the establishment of a hospital for the treatment of incipient pulmonary tuberculosis, and in another year the State will have a sanatorium for the treatment of tubercular patients established and conducted on the most approved scientific principles.

PURE-FOOD LAW ONE OF THE BEST.

Indiana's pure food law is one of the best of any State, its State laboratory is admirably equipped and its State Board of Health is working on more practical lines and accomplishing larger results than similar boards in any neighboring State.

Probably no other State has profited more by the services of a board whose members serve without compensation, than has Indiana by its Board of State Charities. This Board was created in 1889 and during the eighteen years of its existence it has been of incalculable service to the State in introducing improvements and reforms in the management of the various State institutions, in maintaining a high standard of official conduct, in seeing that the public funds are properly expended, in greatly reducing the expenditure for official outdoor relief of pauperism, in the improvement of poor asylums and jails and in elevating the standard of institutional work in general. The excellent work done by this board at a minimum of cost to the people is a just cause of grati-

tude and pride for every citizen of Indiana. Its service to the State stands in the front rank of things which the twentieth century Hoosier should be proud of.

FIRST WOMAN'S LITERARY CLUB.

It is a fact of some significance that the first woman's literary club in the United States was formed in Indiana. This was the Minerva Society, formed at New Harmony, Posey county, in 1859, eight years before the organization of Sorosis of New York. This town of New Harmony, by the way, had the first free schools in America; the first kindergarten school taught by a trained teacher of the Pestalozzian system from Europe; the first distinctly trade school established in the United States; the first workingman's library in the West and the first dramatic society. The American Encyclopedia mentions the early woman's literary club and gives the name of its founder as "Miss Constance Faunt Lee Roy." The pioneer in the woman's club movement in America deserves to have her name spelled correctly. She was Miss Constance Fauntleroy, a niece of Robert Dale Owen, and a native of Indiana.

MANY OTHER CLUBS.

The movement thus begun in Indiana in 1859 has spread to many States, but perhaps no other State has more literary clubs in proportion to its population than Indiana. Some of these are exclusively women's clubs; some exclusively men's, and some are mixed, but all alike are indicative of intellectual activity and progress. With hundreds of literary clubs in operation and with reading circles and libraries forming on every hand, the reputation of the State as a literary center is likely to be maintained. It has been long since a Boston paper, under the heading, "Is There a New Literary Center?" said: "A newspaper in New York betrayed, the other day, an uneasy consciousness that possibly, after all, the Island of Manhattan is not the literary center of the United States. The suggestion may cause some agitation among New Yorkers, but it is doubtful if they much care where it is. Certainly there will be no panic outside the island, because no one in the 'provinces' ever suspected that New York possessed the

distinction. Some Bostonians, a few years ago, while admitting that a reaction would probably succeed the current period of decentralization, remarked the impossibility of any one foretelling where the next literary center would be, and to emphasize the obscurity of the subject he added that for all he knew it might be in Indianapolis. That seemed, at the time, a grotesque feat of the imagination, but is the contingency as wildly and humorously improbable to-day, when we see Indiana authors commanding a larger audience for the product of their pen than the book-writers of any other State, from imperial New York to the foot of the Union?"

LITERARY ACTIVITY REMARKABLE.

The discussion regarding the literary center of the country is between Boston and New York. Indiana takes no part in it. She simply points to the product of her literary workers, as she does to the monument which marks the center of population, and says, "There it stands."

The literary activity in Indiana in recent years has been something remarkable, though probably only the normal result of educational progress acting on the minds and imaginations of a naturally creative people. It was inevitable that a people whose nationalities were so variously commingled and their blood so curiously blended should eventually produce a literature of cosmopolitan quality, yet distinctively their own. The literary instinct was planted in Indiana at an early day, but it required time to mature and bear fruit. The State had creditable authors before any of those now on the stage began to write. "The Hoosier Schoolmaster," by Edward Eggleston, a native Hoosier and proud of the fact, has enjoyed nearly forty years of uninterrupted popularity and is still one of the books most sought after in all public libraries.

But what may be called the golden era of Indiana literature is embraced in the last twenty-five years. James Whitcomb Riley, the best known and most popular of living American poets, has achieved his fame within that period. General Lew Wallace's literary fame dates from the publication of "Ben-Hur" in 1880. All of the other living authors who have given fame to the State

are young. It is remarkable that seven Indiana novelists have each produced "a best seller," namely, Lew Wallace, Maurice Thompson, Booth Tarkington, Charles Major, Meredith Nicholson, George Barr McCutcheon and Elizabeth Miller.

Riley's publishers assert that no other poet of any country or period has ever enjoyed so large a sale of his works while living as Riley. They reckon that one of his poems, "An Old Sweetheart of Mine," has been read by more people than any other poem in the English language, except Gray's "Elegy in a Country Churchyard." William Dean Howells said: "Without the poetry of James Whitcomb Riley our literature would be so much the poorer that it seems idle to state the fact." Oliver Wendell Holmes wrote: "Riley is nothing short of a born poet and a veritable genius." A short time before his death Maurice Thompson said he came across an old letter from a critical friend in London who asked chaffingly, "Where is Indiana, and what right has a 'Hoosier' to be setting up for a poet?" This set Thompson thinking and he made out a list of Indiana authors that was calculated to stun the Londoner.

HOOSIERS DEVELOP RAPIDLY.

Commenting on the newness of Indiana literature Mr. Thompson wrote: "Massachusetts was within three years of two centuries old when Bryant wrote 'Thanatopsis'; Indiana was a little more than eighty years old when James Whitcomb Riley wrote 'Old Glory,' and scarcely seventy when Will H. Thompson gave to the world his 'High Tide at Gettysburg.' We Hoosiers have developed more rapidly than the Yankees. 'Ben-Hur' came out of Indiana less than a century after Clark captured Vincennes in the howling wilderness; 'When Knighthood was Flower' will compare favorably with any romance written by a New Englander within a century after the landing of the Mayflower. Meredith Nicholson's poems seem all the more fresh, native and true when read along with what the Yankee poets piped one hundred and forty years ago."

The gist of Mr. Thompson's argument is to show that literature developed earlier and more rapidly in Indiana than it did in New England. It is an interesting fact that the first published

law reports of the young Western State were quoted as authority in English courts, while the State itself had hardly found a place on English maps. These were the reports made by Isaac Blackford, one of the early judges of the Supreme Court. Chancellor Kent, of New York, wrote: "It is an interesting fact to find not only the *lex mercatoria* of the English common law, but the refinement of the English equity system adopted and enforced in the State of Indiana as early as 1820, when we consider how recently that country had risen from a wilderness into a cultivated and refined community."

DEVELOPMENT OF ART.

The development of art in Indiana in recent years has been as remarkable as that of literature. Indeed, this synchronism of growth in two of the principal elements of high civilization has been so remarkable as to suggest that the mixed blood which characterized and differentiated the people of the State from the beginning contained the germs of literary and artistic creativeness in just the right proportions to be developed together.

Anyhow, it is a fact that at the present time Indiana leads all the Western States in both literature and art. The Indianapolis Art Association, formed in 1883 for the promotion of art, exercises a distinct influence in that direction throughout the State. The "Indiana group" of artists, consisting of T. C. Steele, William Forsyth, Otis Adams, Otto Stark, R. B. Gruelle and others, has achieved a national reputation by the excellence of its work, and especially by the success of its members in dealing with strictly Indiana subjects in natural scenery. In 1885 an exhibit was held of the works of the "Hoosier Colony in Munich." This exhibit included seventy-one pictures and attracted much attention.

Another impulse to the development of art in Indiana was given by the organization of the John Herron Art School, at Indianapolis, in 1895. This institution, well endowed, with an able faculty of trained artists as teachers and with an art gallery attached, is now thoroughly established and is doing notable work. It is within the memory of persons still living when wild

turkeys and other wild game were killed in the spacious grounds and on the very site now occupied by the institution.

At the St. Louis exposition, in 1904, Indiana artists had the best exhibit made by any Western State. Of the pictures offered for exhibition in the Palace of Fine Arts nineteen works of Indiana artists were accepted. Only one other Western State was represented by so large a number of pictures in the general exhibit and Indiana artists were awarded three medals. Besides the nineteen pictures in the Palace of Fine Arts, seventy-eight pictures by native Indiana artists adorned the walls of the Indiana building during the entire period of the exposition. These pictures represented a high order of artistic merit and were the means of emphasizing to many thousands of people the high position Indiana has attained in the world of art.

The city of Richmond has a group of artists of her own almost as well known as the Indiana group above referred to. That city holds annual art exhibits, which attract much attention in art circles, and a number of pictures painted and exhibited there have passed into the hands of Eastern purchasers. Miss Amalia Kussner, one of the most celebrated miniature portrait painters living and well known in New York and London, is a native of Indiana and began her artistic career here. The art spirit which is now so active and which is being promoted by art schools, exhibits and technical instruction in the public schools, is a distinct phase of the higher life and broader culture toward which the people are moving.

FACILITIES FOR TRAVEL.

No other State in the union has a more complete transportation system or better facilities for travel and traffic than Indiana. Its system of steam railroads is such that one can leave the capital and visit any one of the ninety-two counties and return the same day, and this is supplemented by an electric traction system that has no equal anywhere. The topography of the State has proved peculiarly favorable to the rapid growth of electric interurban railroads.

It may be mentioned, by the way, as illustrative of the Indiana

habit of taking the initiative in modern movements, that the word "interurban" was coined and first used by an Indiana man, Mr. Charles L. Henry, a well-known traction railway promoter. At the inception of his connection with the business, about twelve years ago, he coined the word to describe trolley lines connecting cities and towns. It was used in his correspondence and specifications long before it got into the dictionaries.

The first electric interurban line constructed in Indiana, and that a very short one, entered Indianapolis ten years ago. Now there are fourteen electric railroads entering the city, operating 400 cars every twenty-four hours and carrying over 5,000,000 passengers a year, with a rapidly increasing business. They also handle a large amount of freight.

ELECTRIC LINE MILEAGE.

The total mileage of electric interurban lines in operation in Indiana at present is 1,816, and there are 370 miles of new road under construction, most of which will be in actual operation by the end of the present year. The roads now in operation have added largely to the value of the suburban and farm lands; have worked a great improvement in farm methods and farm buildings; have brought cities and towns and country closer together, thus developing neighborly feeling; have stimulated travel which is always civilizing; have added to the pleasures as well as the profits of farmers; have increased the attractiveness of farm life, and made it easy for dwellers in the city to have suburban homes; have enabled many farmers to give their children the benefit of the city schools, and have tended in many other ways to the betterment of social conditions.

In addition to other transportation facilities, Indiana has more miles of good highways and country roads in proportion to its population and is building them faster at the present time than any other State. The Glidden automobile tourists, who recently crossed the State in two directions, were loud in their praise of Indiana roads and pronounced them greatly superior to those of neighboring States.

The spirit of progress shown in the material improvement of

the State appears also in its recent legislation. In its pure food and drug laws Indiana is abreast with the most advanced State in the Union and far ahead of most. Its laws for the regulation of railroads are at once liberal and conservative and its railroad commission has been frequently congratulated for its efficient work in correcting such evils of the modern transportation system as can be reached by State legislation.

The twentieth century Hoosier is very proud of the capital of his State.

THE STATE'S CAPITAL CITY.

Thwaite, in his introduction to "Historic Towns of the Western States," speaks of Indianapolis as "an example of a town site staked out in a virgin forest by ambitious and imaginative speculators, and, before a house could be built, set aside by statute as the capital of the young commonwealth." This is not quite accurate. A donation of four square miles as a site for the capital was made by Congress in 1816, but it was not located until 1821. At that time there were a few settlers and log cabins on the site, but no speculators. The prospective capital was not "staked out by ambitious and imaginative speculators," but was first settled by bona fide pioneers and home-seekers. The happy location of the settlement led to its selection later as the site for the capital. Although there were no imaginative speculators here then, they came in due time, and have been very much in evidence at different periods since.

ALEXANDER RALSTON'S SURVEY.

Although Congress gave the land for the site, it had nothing to do with the laying out of the city. This was done by the State authorities and with a wisdom and prescience which, in view of later developments and present conditions, were remarkable. In platting the city in the wilderness they builded better than they knew, for they planned one of the most beautiful cities in the United States—indeed, next to Washington, the most beautiful. A well-known Washington correspondent wrote: "A visitor to the Hoosier capital, familiar with the capital of the nation,

instantly observes a striking similiarity between the two. Well he may, for Alexander Ralston, who carried the chains for Pierre Charles L'Enfant, and placed the stakes which fixed the lines and curves of the city of magnificent distances, was the surveyor of Indianapolis. When, in 1821, he carved out of the small cleared space in the center of a great wilderness the plan, just one mile square, for Indianapolis, his architectural ability and ambitions had more than a superficial justification. The result was perhaps the handsomest city between Philadelphia and Denver."

The Indianian of to-day would omit the "perhaps" and say the handsomest city between New York and San Francisco. Ralston, who had worked with L'Enfant and was personally acquainted with Washington, spent the remainder of his life in Indianapolis, died here in 1827 and was buried in an old cemetery now within the city limits.

It is not necessary to dwell upon the attractions or the commercial advantages of the Hoosier capital. Enough to say it is not only the largest inland city in the United States, but one of the most prosperous and in a pre-eminent degree representative of the best elements of Indiana life. Situated almost in the geographical center of the State, it is also the center of its social, moral, educational, industrial, literary and artistic activities. It is the ganglion of the moral influences which, concentrating at the capital, radiate throughout the State, making Indiana what it is. It would be altogether too much to say that Indianapolis is Indiana, as has been said of Paris and France, but it is true that the city is a fit culmination of the commonwealth, and the concrete expression of the influences that go to make the twentieth century Hoosier.

THE BATTLE OF TIPTON'S ISLAND.

[A. A. Davidson, in Seymour Republican.]

THE only battle ever fought on the soil of Jackson county by an organized force of militia occurred on the 23d day of March, 1813. The fight occupied a space of time of about twenty minutes.

The contestants were a party of Delaware and Shawnee Indians and a company of twenty-nine militia "Rangers" under the command of the then Major John Tipton. A year or two previous to this event the Indians had ceded to the United States all that part of the Indiana territory lying south of a certain line, beginning on the banks of Whitewater, where the town of Brookville is now located, and running southwestwardly toward the Wabash river. This line, running through Jackson county, passed through where Seymour is now located, crossing our present Chestnut street near the residence of Meedy W. Blish, and on westward by Cobb's schoolhouse and to the old seminary of Brownstown and north of the town of Vallonia.

After this treaty with the Indians, many people came from Kentucky and adjacent territories and settled along the south side of this line. Ninety-three families had started their homes from Vallonia up the river to near where Helt's mill is now located on Sand creek.

They had just begun to clear patches for corn and flax and other necessary products when these marauding Indians began their raids upon their homes, stealing their horses and cattle, burning their cabins and murdering any isolated white man they could find unprotected.

At Vallonia there was a fort and a few "Rangers" were kept there as a kind of garrison for the protection of the settlers along the south side of the river. On the 18th of March, 1813, these Indians killed one man by the name of Sturgeon and wounded three others near the fort at Vallonia. Major Tipton coming the next day to the fort, immediately marched with twenty-nine

men in pursuit of these Indians and on the 23d day of March found their trail in the bottoms, now the Rapp farm, and overtook them in their attempt to cross to the north side of the river on a drift at the upper end of an island. The fight immediately began, the Indians firing as they retreated, and Tipton's men advancing from tree to tree in close pursuit.

It is said that a scared Indian is a bad marksman, and so it proved in this case, for none of the militia was scratched; but one noble chief was killed and several wounded and still more drowned in the river as they tried to escape over the treacherous drift. This fight ended all attempts of the redmen to molest the settlers of Jackson county. Tipton and his men followed the "braves" as they hurriedly made for the hills and valleys of Salt creek, and at last left forever their old hunting grounds along the valley of Driftwood.

Tipton belonged to the Daniel Boone class of Indian fighters and he did more to clear Indiana of the vicious tribes than any other man in the field. He was a man of strong temperament, but of cool judgment. He thoroughly understood the Indian and his tactics and well knew how to counter-scheme their cunning stratagems. He was a strict disciplinarian and enforced his orders with a firm hand. As an example of his fearlessness in this respect it is told of him that when he was following these Indians through Rapp's bottoms, he commanded absolute silence, but as they softly proceeded one big, strong fellow began to talk, Tipton reprimanded him and again commanded silence, but the big strapping fellow again began to talk. Thereupon Tipton grabbed him, took away his gun and tied him to a tree among the horseweeds, where he was left until the battle was over.

After the Indian wars were over Tipton settled down to civil life. He donated part of the land upon which Columbus now stands as the county seat of Bartholomew county. He was appointed Indian agent and located at Ft. Wayne, afterward at Logansport. When Columbus was first platted it was named Tiptonia, but some of the incorporators of the town fell out with Tipton on political lines and took revenge on him by changing the name to Columbus. Tipton never forgot the insult and there-

after took no interest in the town. He did much for Ft. Wayne and Logansport. He with Jesse B. Durham, of Jackson county, and others were appointed commissioners to locate the site for our new capital and they selected Indianapolis. He also surveyed the boundary line between Indiana and Illinois. In 1831 he was appointed United States Senator to fill an unexpired term. And in 1832 was elected Senator for a full term.

General Tipton was of Irish lineage. His father, Jesse Tipton, settled in Sevier county, Tennessee, where he was married to Jeanette Shields. Tipton was born in Tennessee August 14, 1786. He was a cousin of James Shields, who in 1811 settled in Jackson county and was in command of a blockhouse located near the present town of Woodstock. James Shields was the father of the late Meedy W. Shields, the original proprietor of most of the land upon which Seymour stands.

At or near this fort Mrs. Tipton, the mother of the general, lived in her declining days and there she died and her remains lie under a marble slab in Riverview cemetery.

So the 23d of March will be the centenary of the battle of Tipton Island. It is commendable in those who are lineally related to this noted man that they propose to note this anniversary by an appropriate celebration. And surely the citizens of Jackson county and especially of the city of Seymour, will not let the occasion pass without the patriotic observance due to the memory of General Tipton and his noble followers.

INDIANA QUARTERLY MAGAZINE OF HISTORY

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GEORGE S. COTTMAN, *Editor*

EDITORIAL.

INDIANA HISTORICAL SOCIETY.

At the regular annual meeting of the Indiana Historical Society the officers of 1912 were re-elected. These are: Daniel Wait Howe, president; Charles W. Moores, first vice-president; W. E. English, second vice-president; J. A. Woodburn, third vice-president; Charles E. Coffin, treasurer; J. P. Dunn, recording secretary; C. B. Coleman, corresponding secretary. Members of the executive committee are: John H. Holliday, Addison C. Harris, Charles Martindale, George S. Cottman and Miss Eliza G. Browning.

Sundry items of business came before the meeting.

A sum not to exceed \$100 was voted to cover any deficit that might occur in the publishing of this magazine for the year 1913.

A committee was appointed to present a plan whereby the publications of the Historical Society can be properly distributed and exchanges for similar publications be effected.

A committee was appointed, also, to consider a plan, suggested by the American Historical Association, for the co-operation of our State and local historical societies in securing the calendaring and indexing of the French archives relating to the Mississippi Valley.

The annual dues of the society were raised from \$1.00 to \$2.00. Each member hereafter will receive this magazine free; also the pamphlet publications of the society.

FIRST WHITE CHILD IN INDIANA.

A recent newspaper item hailing from Columbus, Indiana, tells of a grave tablet just lettered there with the following in-

scription: "First white child born in Indiana; John Henry Kluge, born at an Indian station at Anderson on December 31, 1805, and died at Hope on November 20, 1898." Mrs. Nathan Sparks, of Jeffersonville, sends us this clipping with the added information that her father, Burdett Clifton Pile, was born in Indiana Territory March 10, 1805, several months before Mr. Kluge, and that her uncle, Marston Green Clark Pile, said to have been the first white child native to Clark county, was born November 1, 1802, in old Fort Finney, afterward called Fort Steuben, which marked the first settlement of Jeffersonville. The father of these two boys was Richard Pile, a Revolutionary soldier.

The absurdity of the Kluge claim is apparent when we remember that in 1805 there had been a white settlement at Vincennes for perhaps seventy-five years, and even if the claim was that of the first child of English speaking parentage the American occupancy began a number of years before 1805. According to the St. Clair papers, there were about four hundred Americans in Vincennes as early as 1787. In 1800 there were, as nearly as can be estimated, about 2,500 inhabitants in what is now Indiana. Hence it is tolerably certain that there were many births before 1805. Who the first white child was is not and never can be known.

A LOG CABIN MEMORIAL.

Apropos to memorial buildings there comes from Mr. Arthur Osborn, of Spiceland, a suggestion that ought to be followed. It is that a pioneer log cabin be erected on some proper spot as an object lesson to the present and future generations. This cabin should show the most primitive Hoosier habitation, such as was made before nails and hardware were easy to get, with the clapboards of the roof held in place by weight poles, separated by spacing knees; with the doors hung on wooden hinges, and the chimney built stick-and-clay fashion. To perpetuate the interest in this pioneer domicile it should be a repository of old-time household implements, many of which are now rarely found, being indeed almost forgotten.

In the list of these articles should be all kinds of fireplace cooking utensils, such as pots, hangers, hearth oven, long-handled waffle irons and frying pan, griddles, trivet, etc. There should also be pewter and some old blue china tableware, flint-lock gun with shot pouch, powder horn and bullet molds, and a deer-horn gun rack. To this list Mr. Osborn adds tinder box, fireplace tongs and shovel, hand bellows, Dutch oven, Johnny-cake board, various sized culinary vessels, dye kettle, candlesticks, candle molds, tin lantern, corded bedstead and trundle-bed, hickory broom, home-made woodenware and molds for pewter articles such as buttons, spoons, etc.; also the industrial implements, such as loom, spinning wheel, winding blades, clock reel, cards, ripple, hackle, flax break and scutching knife.

A cabin like this would be of little cost and if equipped as above suggested, would be of never-ending interest. As to its location, we would further suggest that should the ground west of the State House be purchased and the plaza scheme materialize, it would include the most appropriate of all spots, i. e., that where the McCormick cabin stood on the triangle overlooking White river, near the Washington street bridge. John McCormick is generally regarded as the first settler on the site where Indianapolis stands—he is certainly the first who can be regarded as a cause in our history; and a duplication of his cabin, as nearly as it can be reproduced, would be so fitting that one wonders why it should have escaped being a feature of the plan projected by the Centennial Commission.

FIRST MEDICAL BOOK.

Dr. G. W. H. Kemper, of Muncie, has a copy of what he thinks is the first medical book printed in Indiana. It is "Eastman's Treatise," printed at Connersville in 1845. The author was one Dr. Buell Eastman, who came from Cincinnati to Connersville in 1844, and was a resident there for about two years.

LEGISLATION ON INDIANA'S CENTENNIAL.

The popular sentiment for some proper and adequate celebration in 1916, and for a much-needed memorial building, has been so pronounced that the three leading political parties all incorporated in their platforms explicit endorsement of such celebration. In the face of such endorsement in its platform, our Democratic Legislature deliberately killed off, one after another, three bills that aimed to pave the way to the desired end. As a substitute, a bill was passed which will put to the general vote, in 1914, the question of celebration or no celebration. Should the vote be favorable, less than two years will remain to get the machinery in motion, and the prospects for the memorial building to be completed by the summer of 1916, even with the most favorable fortune, does not now look hopeful, unless, indeed, the public-spirited citizens of Indiana proceed to do, independent of legislative action, the thing which they believe will redound to the honor and to the benefit of the State.

CHANGES IN STATE LIBRARY.

The recent Legislature has made the State Library a departmental institution, its functions to be grouped as the Reference, the Cataloguing, the History and Archives, and the Office departments. The Legislative Reference Department, hitherto a branch of the library, has been re-established as a separate bureau, with an increased appropriation. The library appropriation was also slightly increased.

REVIEWS OF BOOKS.

A CENTENNIAL BOOK.

By way of educating the public to the plans for an Indiana centennial celebration in 1916 the "Celebration Committee" have put out a beautiful little book of about 150 pages, profusely illustrated with the finest examples of the photographer's art. It is a book that every Hoosier should buy and add to his shelves, not only because this will be a boost to the cause, but because this brochure is one that every Hoosier ought to want. Its contents present, first of all, information concerning the movement and the scope and character of the proposed celebration. In addition, a score or more of articles contributed by as many writers, touching upon the numerous industrial, social and cultural activities of the State, suggest definitely how each of these should take its place in a general exhibit. In the historical exhibit, for example, Professor J. A. Woodburn presents, among other features, a scheme for a street pageant wherein a series of floats and tableaux would present in panoramic order the successive phases of life on our soil from the Indian in his wigwam on through the pioneer period to the present status of literature, art and industry.

The Indiana Centennial Celebration Committee, consisting of fifteen representative citizens from the thirteen districts of the State, was created as a result of a general meeting held in Indianapolis May 3, 1912. The chairman is Dr. Frank B. Wynn, 311 Newton Claypool building, Indianapolis. The dominant idea of this committee may be gathered from its own statement, as set forth in the brochure:

"In considering the scope and character of any proposed celebration," it says, "the conventional exposition has not been deemed worthy of serious thought. Such are, in their essential features, great department store exhibits, entailing enormous expense in the construction of temporary buildings which serve the purpose of a day and are torn down; an unwarrantable ex-

travagance. It is the prime purpose of this committee to inaugurate and promote a method of commemoration which will not only be dignified and appropriate, but give permanency of results to the entire citizenship. Our history, achievements and growth are inspirational. Why not let them speak to the world through the people who have wrought so well? Educational and historical exhibits, demonstrated by experts, will insure the greatest good to the greatest number. They will give that breadth of knowledge which is an asset of value, power and permanence."

A conspicuous feature aimed at by this movement is a State Historical Library and Museum Building that shall be an ample and artistic supplement to our over-crowded State House.

The Centennial Memorial book may be had for \$1 by sending to Dr. Frank B. Wynn, 311 Newton Claypool building, Indianapolis.

OLD INDIAN TRAIL.

"The Indian Trail Down the Whitewater Valley," by J. L. Heinemann, is an interesting and valuable contribution to our studies of the Indian in this State. The once famous, but now neglected, Whitewater region has received scant attention in historical literature, and everything relating to it will be welcome to the student. Our knowledge of the old Indian routes is very meager. Only a few have been definitely preserved, and Mr. Heinemann is to be commended for having added one to the list. A chart of the trail shows it to have been the line of travel between the Whitewater and the Delaware towns on White river at the present sites of Muncie and Anderson. It ran northwestward from Cincinnati via Brookville, Fairfield and Connersville, passing just east of Newcastle. Mr. Heinemann's study has evidently been thorough and painstaking, and, incidentally, he gives a number of items of information touching the early days of Connersville.

PROFESSOR LINDLEY'S PAPER.

"The Quakers of the Old Northwest," by Professor Harlow Lindley, reprinted from the proceedings of the Mississippi Valley

Historical Association, now appears a separate pamphlet of fifteen octavo pages. While the study is more than local in its scope, as the title implies, its bearing upon the history of the large number of Friends in Indiana gives it a local interest.

ARCHIVES OF INDIANA.

A report on the Archives of the State of Indiana, by Professor Harlow Lindley, of Earlham College, has been issued in a pamphlet form. It gives a list of the documents to be found in the following State departments: Governor's office, Secretary of State, Auditor of State, Treasurer of State, Clerk of the Supreme Court, State Superintendent of Public Instruction, Adjutant General, State Library and Board of State Charities.

AN INDUSTRIAL HISTORY.

Mr. J. R. H. Moore, head of the Department of History in the Indianapolis Manual Training High School, is the author of "An Industrial History of the American People." It is a book of 496 pages, profusely illustrated and well indexed, and is a contribution of value to this subject. Macmillan & Company, New York, publishers.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC.

Of the Indiana Quarterly Magazine of History, published quarterly (March, June, September, December), at Indianapolis, Ind., required by the Act of August 24, 1912: Name of editor, George S. Cottman, Indianapolis; business manager, Demarchus C. Brown, State Library, Indianapolis; published under the direction of the Indiana Historical Society; owners, Indiana Historical Society. No one receives pay for editing this quarterly, or managing it.

DEMARCHUS C. BROWN, Business Manager.

Sworn to and subscribed before me this 30th day of September, 1912.

AMOS W. BUTLER, Notary Public.

(My commission expires June 28, 1914.)

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June, 1913

No. 2

Indiana Magazine of History

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Society and The Indiana State Library

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THE INDIANA MAGAZINE OF HISTORY

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CHANGE OF MANAGEMENT

With this issue the *Indiana Magazine of History* passes into new hands. To Mr. George S. Cottman, the founder of the magazine, all persons interested in the study of our State's history are under a debt of gratitude, for the self-sacrificing devotion with which, for more than eight years, he almost single-handed carried on this enterprise. That it at last proved too heavy a burden for one of his restricted means, occupied as he is by his own business affairs, should occasion no surprise. Professor C. B. Coleman, of Butler College, has been an efficient helper in the life of this magazine, and was for a while its managing editor. Henceforth the magazine will be published by the History Department of Indiana University, in cooperation with the Indiana Historical Society and the Indiana State Library, the two institutions which have in recent years assisted Mr. Cottman and Mr. Coleman in the publication. It will be the aim of the new management to enlist the editorial assistance and participation of trained historical workers, throughout the State, who are interested in this field of labor. An indication of the wider cooperation which is expected is given in the list of editors printed on the cover of this issue. With the assistance of these and other coworkers, it is hoped to put the magazine in a class with the best State historical publications of the Middle West. The historical department of a State University is the natural center for such an enterprise; for there are to be found not only the scientifically trained investigators necessary to its continued success, but also, in its seminaries and advanced courses, are enthusiastic students whose energies can be directed into this field of research as a part of their university training. The History Department of Indiana University is particularly fitted for the task at the present moment, for an Indiana Historical Survey is now in progress in that institution, which aims to collect, study and publish the important historical documents of the State with a view to a worthy commemoration of the approaching centennial anniversary of Indiana's admission to the Union. Many interesting by-products of the survey can worthily find a place in the *Indiana Magazine of History*.

For the present the format of the magazine will remain much what it has been, though the number of pages in each issue will be in-

creased. After this issue it is expected that the number of pages will be considerably increased. When the present volume is completed, the size of the page may be increased to the usual size for magazines of this character.

The subscription price will remain for the present as hitherto, namely, \$1.00 per year. By recent action of the Indiana Historical Society, whereby the annual dues of the society were raised to \$2.00 per year, this magazine is to be sent without charge to the members of that society. To permit of the continuance of the low subscription price, it will be necessary that the number of subscribers be very considerably increased. A magazine of this character, appealing to a people so notably loyal to their State and to their State's history, ought to have a subscription list of at least one thousand. It is strongly urged that all persons interested in this enterprise use their influence to aid us in attaining this result. Perhaps it should be added that no person connected with the publication draws any salary or profit therefrom, and that, for the present, at least, the magazine will not be in a position to pay contributors for their articles. Subscriptions and correspondence should be sent to Dr. Logan Esarey, the managing editor.

The history of Indiana presents an interesting field for investigation. The most powerful of the early western Indians had their homes within the borders of the State, and some of the most desperate Indian wars were fought on Indiana soil. The development of the State from the pioneer stage to the present has, perhaps more than that of any other commonwealth, been typical of the development of the Middle West. The State government has wrestled with most of the problems—economic, political and social—which have confronted the growing communities of the West, and its dealing with these problems presents many points of permanent interest to the student of American history. Indiana's part in the Civil War was a notable one—in many ways unique among that of the States of the Union. The State has furnished to the country its full quota of soldiers and statesmen, poets and novelists, business men and educators. The sane and scientific study of the history of a single State such as ours, in its relations to the history of the whole country, is one of the best means of furthering the growing understanding of the development of the nation as a whole. Not mere local antiquarianism, then, but sound, broad-minded historical scholarship in its widest relations, is the goal which the magazine sets before itself under the new management.

S. B. H.

THE ACHIEVEMENTS AND POSSIBILITIES OF HISTORY

By PROFESSOR JAMES T. SHOTWELL, Columbia University*

[An address before the History Section of the State Teachers' Association, delivered at Caleb Mills Hall, Indianapolis, May 9, 1913.]

IF YOU were to consult the last edition of the *Encyclopaedia Britannica*, following the directions which are so lavishly given in our daily press, and get to the article on "History," you would find at the close of the article the statement that the *Encyclopaedia Britannica*, eleventh edition, stands as a synopsis of the world's history. The achievements and possibilities of history have to be crowded into a few moments this afternoon, and the *Encyclopaedia Britannica* does not begin to deal with the possibilities—only the achievements. I suppose, then, that it would have been in order for me to have crammed up a small part of the *Encyclopaedia Britannica* and given it to you as a proper preparation for the subject in hand, and then to have indulged in a little fanciful prophecy with reference to the possibilities of future encyclopædias, and the job would have been done. But, as I must confess to you privately, that article is not a very good article—I wrote it myself. It behooves me to construct somewhat the general survey, and to present to you as clearly as I can my own impressions, not the impressions of the *Encyclopaedia Britannica*, as to the place in the intellectual achievements of mankind and in our own educational life that history might and, I think, does genuinely occupy.

In the first place, I want to say that history began, of course, in the prehistoric age, which is a paradox that can be easily understood; for the prehistoric epithet was attached to many a century, many a millenium of the world's history, by those who did not realize that the pre-literary was necessarily really a different thing from the prehistoric. History began when memory began, and that means that it began with the dawn of thought; it began with the first glimpse in this strange prehistoric conglomeration of animals which became man—it began in him, I say, at the time when he realized what time was, that something happened in the past. It didn't make any difference what happened; it might have been a rhinoceros going past a cave in France; it might have been a battle in the heart of Australia. It made no difference what the

* Reported and transcribed by M. McEvoy, Manual Training High School, Indianapolis. Not revised by the author.

subject matter was, but history began with the human intelligence, and it was the register of what happened to mankind in so far as memory preserved it.

The first rude possibilities of preserving lay only in the brain cells of these descendants of prehistoric animals; and then, as time went on, tools were evolved and men began to play them back upon their environment. Cutting in stone and in wood, they left us little remnants of thought which we are now gathering up in our museums as the first records of the history of the prehistoric world. But all this memory of prehistoric times is a vastly different thing from what we have to deal with when we are teaching or treating of history. For now I come to the most remarkable thing, the simplest but most misunderstood of all about the old history; for the real scientific history which we are interested in is not this blundering, myth-making history of primitive man, but a science. The real history that we have to do with began—not with believing, but with denying; not with accepting stories that were foisted upon men, but with denying that they were so. For milleniums and milleniums, from the ice age down, I can imagine the old story of what happened yesterday, treasured by the campfires of every prehistoric people. No person was there, so far as we know, to question scientifically the matter of the achievements. History, as we conceive it in our schools, as it ought to be conceived, began over in those Ionian cities on the coast of Asia Minor, where the rocky headlands of Asia Minor tumble down into the Ægean. There in the little seaports began a race of men who began to question the legends of Homer. There was a man called Hecataeus, who began the science of history with these historic words: "I write as I deem true; for the legends of the Greeks seem to me manifold and laughable." As I have said, those are words which sound almost like the scientific skepticism of Voltaire. In the old Greek of that Ionian coast the word "history" meant "inquiry." It meant what the word "philosophy" meant in Athens, or what the word "science" means now. It was by questioning these long mistaken impressions of primitive man, by getting back behind them, and trying to find out what evidence there was with reference to the point in question, that history, as the Greeks understood it and as the modern world has recovered it, began its existence—by denying, not by believing.

Now, before I go one step farther, let me say that there lies in that fact one of the most tremendous disciplines that you can any-

where work up in your educational curriculum. I did not come out to fight the battle of history at all, but merely to state the point of view of those who devote their lives to it and find it worth while. The main thing worth while is a temper of mind, and a temper of mind that is bred not necessarily with the aid of chemicals before you where they themselves answer your questions, but where you work out your own criticism with the aid of the historical sciences to find out whether the evidence before you will hold water.

I will give you some examples of how this important matter might come into our daily lives. You are under the impression that my name is James "A." Shotwell. It isn't. It is printed there; it is very definitely before you. It might possibly go down in small history—that is being taken down, I see—if this were a large enough and an important enough event in the city of Indianapolis, it might go down as James "A." Shotwell if I had not informed you that it was James "T." Shotwell. The "T." doesn't matter, but the point does. You hold the evidence here before you from responsible sources; your own historians have recorded the fact that there is an "A." where there ought to be a "T." Now that little incident I want to use to fall back upon for another thing. How would you know that it was not "A."—wouldn't your temper of mind say it is James "A." Shotwell? My temper of mind says that the man who preceded me is Robert N. Fulton. He accepted the name as Fulton; I believe the name is Fulton. But as a historian can I be sure that his central initial is "N"? Well, perhaps that is a little foolish hypercriticism.

Let me turn over to another line. I have read in the daily papers for the last half-dozen years; in fact, I have been interested in the subject for the last half-dozen years and I have been reading for at least fifteen years the old story that the French people have, in the first place, a constitution which is always in turmoil—I mean a political constitution—and a private constitution which is hardly less peaceable; that they are an excitable race; hardly know their own minds from one day to another; that they keep changing premiers and ministers, and can't govern themselves. I have that on the evidence of the *Review of Reviews*; I got it last winter in *Current Opinion*—a pretty good paper in some ways; in the *North American Review*, the *Fortnightly*, the *London Times*; I have it on all sides. Now, just as I should be inclined to believe that my name was James "A.," I am inclined to accept the accumulated evidence that lies before me that the French people have a

constitution which will not work; that they are changing from day to day and everything is turned topsy-turvy; they need an Englishman like Lord Kitchener to tell them how to govern themselves, or for him to govern them. I have got that impression from all sides. Now, how can I in any way as a historian come in behind that evidence? Well, as a historian, I should, in the first place, be doubtful of that statement, for it happens that I read the same statement in Polybius. He says: "The Gauls are a highly inconstant and excitable people." He got this from Scipio. Julius Cæsar said the same thing—surely he knew; and then I come along and find the same thing over in the English writers of the Middle Ages, and I find it in modern literature, and it is even copied by the French themselves. Now, first of all, Polybius wrote at the dictation of Scipio, and his impressions were the impressions of a trained civilian when he met a barbarian, and he said: "You Gauls are as inconstant as the Greeks." Polybius was trying to draw a moral from the cultured man when he met any savage. Then Cæsar copied Polybius and followed the same general principle. He found the Gauls inconstant, just as the Englishman finds the Hindoos inconstant; it is a quality of the savage or the semi-barbarous. And then ever afterward every one copied, copied, copied, copied. But you look down French history and you will find that up to the French Revolution France had a much more stable line of history than any other European country. You will find that after the French Revolution, which Englishmen never understood and Frenchmen never understood and no one understood until the last twenty-five years—you will find this statement, that they went from a republic to a monarchy, from a monarchy to a republic, and then back again to monarchy, and again back to a republic; therefore, they didn't know their own minds or how to rule themselves. If you look deeply into that history you will find, as a matter of fact, that Frenchmen didn't care whether they had a monarchy or a republic so long as they were happy; they were not interested in the structure of their government as we might be, and the French Revolution had to do with getting rid of economic troubles, and they accomplished that once for all in August, 1789, and they never went back on that. Look up Voltaire and the Frenchmen of that time, with the long heritage of French society. They said: "But these Englishmen are the most inconstant people in the world; they cut off the head of their king, and then they got a military dictator, and then they got back to monarchy; they can't govern themselves, these

Englishmen." So said Voltaire and so said the ambassador to England in the time of Charles II. England was going through its political revolution at that time. France has been going through its political revolution for a hundred years now. It didn't take France any longer than it took the English people to handle such a vast problem. That is one of the political disciplines. You must get the evidence which weighs against the other evidence. You must be aware, in the first place, that the evidence which you are dealing with may be only partial. You must get a habit of mind which is not dogmatic. You must be ready to go into the small and obscure lines of evidence, just as the scientist does, to weigh them over against things which may have got a wrong perspective. And so the science of history, from the time of Hecatæus down, has been the science of inquiry.

You say that is not what I have been accustomed to in history. No, we are accustomed to what I should call the results of criticism—pretty poor results sometimes. The person who takes up a textbook—I speak with some diffidence on this matter, but with a free conscience, as I have not written a textbook yet—and believes that textbook to the letter, accepts its point of view as final, such a one lacks the one qualification to use it. You must be aware of the fact that when your author put his material into place he had to shove a great part into the waste-paper basket because he didn't have room to put it in the textbook; and he didn't have time to look up everything and may have got it wrong in nearly all the perspectives, which he would gladly correct afterward if he only had the chance. But sometimes the writer of a textbook doesn't like to go back on it, so he fights for it a little bit. He would go back on some things five years afterward. Why? Because new evidence is coming before us, clearer and better every day, and playing off one thing against another, we are slowly and laboriously working toward the truth. You say this is quite a haphazard thing. What are you going to do in the schools? I will tell you one thing I should not do. I should never accept the textbook as a bible. I had an old textbook in Greek history which had 292 pages on the Peloponnesian war and only three-quarters of a page on the Athens of Pericles; and I had an idea that was the Greece of antiquity, and I wondered why any one ever got excited over Greece. What had that textbook writer done? He copied Thucydides because it was the easiest thing to do. There never was a Peloponnesian war, as one great war. Thucydides created it. It was a great conception

of Thucydides, worthy of those who fought in those skirmishes and successful campaigns. It was a series of wars, but the great genius of Thucydides saw in it a great world event, a single epoch, the fall of Athens. So our annalist follows over hedges and ditches this great historian of Greece for 292 pages. That is not the history of Greece. No textbook is final; it cannot be final. The history teacher who uses these things must in addition to teaching facts inculcate some historical discipline into the mind of his students—not into the very youngest, perhaps; there I should be content to give the pictures and the glorious pageantry of the past, but I should try to do it in the light of the most recent investigations and awaken some kind of a sense of what the past is. Remember that the past itself does not exist; it is dead and gone. The opening of this lecture is gone forever, in spite of the immortality it is achieving down below me [referring to the stenographers]; all of those incidents which went into that psychic moment which formed the opening part of this lecture are gone; only the historian can bring it back to us, and he cannot accurately, perhaps. If he said James “A.” Shotwell began lecturing at 3:45 on the 9th of May, 1913—which I didn’t—you would have to work along and check up by all the evidence before you what was the actual fact. Now, how would you bring this into your class work? I remember assigning to my students once Symonds’ glorious treatment of the Renaissance in Italy, where he tells how St. Bernard used to walk by the blue waters of Lake Geneva with his cowl turned over his eyes and intent on his rosary, and never seeing the waters of that lake or the splendor of Mont Blanc across that wonderful sea. And so did humanity pass like a careful pilgrim along the perilous ways of this world, never catching a glimpse of the beauties around them or seeing that life was a blessing. Then one bright morning humanity waked; that was the Renaissance. He saw the world and discovered himself. I assigned that to my students for reading and I told them they would have a quiz. They came crammed to the full with Symonds. I asked them to describe the pictures on the walls of Barnard College. The walls of Barnard College are decorated with a little glimpse here from Donatello, a little sculpture there, and a little painting—copies of paintings from the Renaissance. Those students had been in Barnard College two or three years, and six out of one hundred and fifty could tell me three correct details of the pictures on their walls. Then I asked them when they had waked up, how about the Renaissance. The Renaissance had given

mankind a new light. They had awakened this bright morning and been awake ever since. So you see it is possible, when treating of any event, to throw it back somewhere or other upon the student's experience or means of verifying the data, and you have there the possibilities of one of the most useful disciplines that it is possible to get. I wish I could follow that further.

Let me tell you what history achieved. It was the absence of this measuring of evidence, the absence of this scientific spirit, which made the chronicles of the Middle Ages so worthless. The chroniclers recorded what they did because they didn't doubt the evidence before them, and the result is that their chronicles are worthless. In the fifteenth, the sixteenth, and then along in the seventeenth century historians began to gather up their evidence and find out that it would not hold water. It was absolutely necessary to find some criterion by which to judge them. For instance, we will say that Charles the Bald was given a Christmas dinner in the year 845 at the monastery of St. Denis, near Paris, and according to another chronicler he was at a town down in southern France on the same day. (I am making up this story; these are illustrations; there are hundreds of them that you could work up that are absolutely true.) Which of those chroniclers are you going to believe? Now, the chronicle of St. Denis was written five hundred years later, and the other chronicle one hundred and fifty years later. One is very much closer than the other to Charles the Bald. It might seem as if the one that was closer was the true chronicle. But then you find that Charles the Bald felt very jovial after that Christmas dinner and proceeded to give some lands to that monastery. He gave them a hundred acres on one side, fifty on another, he gave them thousands of acres on that same happy afternoon. We commence to wonder whether that was really written one hundred and fifty years after what happened. Along comes a man who knows how handwriting runs. Now, if you have ever picked out a letter written in England or France or the United States, or almost any part of the world, you will know that the handwriting is different. So the handwriting changed from age to age. I can pick out a letter written by a Frenchman almost every time; I haven't failed yet in handwriting. So if that chronicle that purported to be written one hundred and fifty years later was written in the handwriting of the thirteenth century, I know it could not be anything but a copy. Then I find the other evidence parallel. I see that it begins with a salutation which they did not use one hundred and fifty years after

Charles the Bald. Let me make this clear. Suppose you were to get a letter from France. The Frenchman does not begin "Dear Sir"; he begins "Sir," and then he ends with a long apology for having disturbed you. The Englishman begins "Dear Sir" or "My Dear Sir," no matter whether he is dealing with a real estate agent or whomever it may be—it is always "Dear Sir." Now you can tell whether the letter is written by a Frenchman or an Englishman. You can tell exactly up and down the centuries. If you got one of Charlemagne's epistles beginning "My Dear Sir," you would know that it was absolutely false. So we have the science of paleography, along with the science of documents—diplomats, it is called; and we can tell the very year, the very day, the very locality, where and when those documents were manufactured. And the world was full of monasteries copying these documents. So it was by developing and inventing these checks on the documents that the science of history came into existence. Look up some time the history of that wonderful monastery on the boulevard of St. Germain in Paris, the old monastery of St. Germain des Pres, where the monastic order of the seventeenth century worked at this and gave us more test for truth than all the Macaulays and Gibbons and Carlyles in the whole world. And upon their solid work rests the tests for documents, so that, if you have a document of the twelfth century, you can tell whether it is true or false almost to the letter. So, upon that basis, came into existence this science that Hecataeus had foretold, the science of inquiry into the past, and then the libraries filled up with them. From the days of the fathers who were working in the monasteries, when Moliere was writing his plays, from the days of these grim old fathers of the day of Louis XIV to ours there has been a steady and regular increase in the placing at our disposal of the authenticated records of the past, until at the present time the archives of Europe are full of material which, fifty years ago even, would have required isolated visits to monasteries and private houses and parish houses. In all of the large libraries in America you can sit down in a room with the absolute material at your disposal for telling the detailed story of any great event in European history. Just think of this. There is, as it happens, papal material. The papal material has been better preserved. There were more scholarly men there and they copied every letter from the papal chancery from 1282 to the present day. You can find a printed register of those letters in our libraries, worked out by the scholars since 1887, when the Pope

opened these reservoirs of knowledge to the whole scholarly world. So that I can tell that on a certain day in 1211 Innocent III wrote fifteen letters, one at twelve o'clock at night. We have the letters, almost hour by hour, for centuries, to tell what every Pope did, how he carried on his correspondence with the monarchs of Europe. There are materials for the history of every state in the continent of Europe at our disposal. We have representatives over there tracing the events which influenced American history and placing them in order. That is an achievement which the historian gets behind. Those of you who take our little textbooks, which seem to contain in them the gist of centuries, should remember that behind them lies a science with its laboratories, doing just as genuine work in its search for truth as the science of chemistry or physics or any other of the natural sciences. I wish I had time to develop this further, for that is a side of history which is seldom brought to the attention of the world. I remember, for instance, my own little college that I went to. We had a library of 60,000 volumes, and the trustees came along one day to look at our university and some one told them there were 60,000 volumes there, and they said, "Why, you haven't read all these; you don't want any more books"—an unenlightened point of view which a short course in history would have dispelled. There were not enough books in that library to enable one to reconstruct, in the light of evidence, the Reign of Terror in the French Revolution. You take Carlyle's history of the French Revolution. It is all wrong as history. It is full of wonderful imaginative sketches. It was one of the epoch-making books in my own life. I look back to the time when I opened Carlyle's *French Revolution* and got a glimpse of the tremendous drama of history, which was to be an inspiration for years to come. But it is all wrong as history, because Carlyle hadn't the material; it wasn't known. Now we have in our libraries the minutes of the Committee of Safety at every session, practically. You can follow meeting by meeting what each one did, how he spoke, what was his attitude on it all. You will find, for instance, that Robespierre never had a majority in the Committee of Public Safety. You will find, among other things, the roll from the city hall of those who received money for killing the priests. I will call them by name. "Tom Smith, baker, 6d, was given six priests to dispose of; Tom Jones, butcher's apprentice, killed one priest and maimed another, 10d," and so on. You can find what was the complexion of the mob which invaded that old church of the Carmelites in the Sep-

tember massacres. Carlyle didn't know any of these things. He was wrong in his wonderful story of the flight of the King to Varennes. He said the King was in a lumbering old coach. It was not a lumbering old thing—it was a swift carriage; and so the story at once disappears in one's hands. I say all of this lies now in the evidence to be reconstructed into our histories. Only the historian who has developed the historical criticism and the critical point of view will know that history prepares a man in a scientific discipline such as one cannot otherwise, I think, get in dealing with the evolution of society. I wish I had more time to speak upon this discipline. I think it is a most important thing; but it is very difficult to get that into any of the lower classes, and I think that if you destroy the faith of your students in what you are telling, without giving them some indication of your good faith, you are going to have some trouble with the rest of the story. What are you going to do about it? I believe the French have solved the problem. They tell the story first for the beginners in a picturesque way. They leave out the problems. They tell the old and dramatic things worked up by men who know what were true. Then they go over the story again for those who are more advanced and give it with a little more problem, a little more insight. Finally, as they come on to the university, they have a chance to discuss things on a more scientific basis. It is checked up from the picturesque on, it is checked up with a full sense of the value of the evidence. Now, that is a problem which I am not able to deal with properly, not having myself had the experience as a teacher except where I could talk out my own particular line and to my heart's content in the university. The student in a university has to take what you give him.

I want to say one thing, develop one other line, and develop it so that you may get some glimpse of it. The new historical criticism is not only paying attention to the kind of evidence; it is not only following out whether a thing established is true or not; it is trying to get at what things are genuinely important—what things we may leave out. For instance, my Greek history—could I possibly get along without 292 pages of the Peloponnesian war? I did get along without it, for I never learned it. How about the rest of the long pageant of history? Now, I am very firmly convinced that just as the evidence for history must be separated and weighed and all the new evidence brought into play in order that we may have some definite final conclusion as to what was the

fact in the case, so it is absolutely necessary that we must adjust our histories to the really important in the evolution of society. History has not absolute content. For instance, it would be perfectly possible for a person to write the history of the Renaissance—the times of the Renaissance—without any mention of the background of those Italian cities in which that art flourished; such histories have been written. It would be possible, however, to write a much wider and clearer and more philosophic history, showing how the work of the great artists was dependent upon the finances of the cities, how those little workmen in the back streets of Florence created the wealth of the magnates who employed the artists; and so we should get a social history of the Renaissance in which the life of the artists would have their full and clear setting. There is a choice there. No history could get it all in. There are some things that are so tremendously important that they have to get in. I have been interested in the last five or six years in what I call social and economic history, history that does not run along from king's court to king's court, from politics to politics, but which attempts to get at the life of the common people, the work of the world, the history that has never been written yet, the things we do, that we spend the most of our lives at, but which have never been recorded. I have been interested in that, and as my interest grew in it, I looked back over the world's history and I discovered that in the Middle Ages they wrote mainly the chronicles of church history; in the Italian towns, Machiavelli, Guicciardini and the rest of them wrote mainly the history of the Italian towns. When the national state came into existence, they wrote political history, and then they fondly believed that that was all there was. As Freeman put it: "History is past politics; politics is present history." In the middle of the nineteenth century people were winning freedom from the oppression of the past and fighting the feudalism of Europe. This great middle class wrote the history of the middle of the nineteenth century; they wrote politics because that was their main interest; that was the evolution of society along the line of their own evolution. Then came a great fact, the factory system and the rise of democracy. Most of us, I venture to say, whenever I talk to an audience of more than a hundred,—most of us are descendants of serfs, nearly everybody in Indianapolis is descended from serfs. Now, what is our past? How can it be recovered from the nothingness of the past? That is the problem which we are facing at the present time. How may

it be met? If we do not meet it, our history curriculum will disappear from our schools; and I don't care very much whether it does or not, unless we somehow or other meet this problem, because it is a vital problem for us. I don't care so much what a King of Norway did on a visit to Iceland in the ninth century except as literature or as a polite accomplishment. But I do care very much what bases lie underneath the structure of the state of which I form a part, what forces are at work in the world to-day, and I can find it out only in history. Alongside, not replacing but alongside of the old political history, must come the history of the people over whom the structure of politics was placed or built. You say that there are no records. We will see. I have a course, for instance, which I will just describe. It is supposed to be the social history of modern Europe. I start the course at Venice, or a little farther back; I start it at the Sahara Desert and that great desert that stretches over to the plain of Manchuria, with a little break up the Nile valley and the Red Sea, and up the Euphrates; that tremendous desert that lies between Europe and Asia and runs up to the roof of the world, the Hindu Kush, down over the desert of Gobi through Mongolia and the rest to Turkestan, making between the East and the West the impassable barrier of the illimitable desert. And then the little trade kept coming and going, up and down those interstices, and that built Venice and the cities of the Mediterranean, excepting Florence. Then they brought down German merchandise from Augsburg into Venice, reloaded it; and all this built those palaces, the result of that European caravan trade which came and reloaded their spices and other freight at Venice. That built this seaport, for it was cheaper by sea. Then Vasco da Gama made his voyage, and Venice was ruined. The wharves of Lisbon were filled with merchandise. I won't go into the details; don't believe me but look it up. Now, we have that transfer of European civilization from Lisbon to Antwerp and then from Antwerp to Amsterdam and from Amsterdam to London; and the north took over the heritage of the Mediterranean. The great sea empire of England was developed during the eighteenth century, and so you can arrive at the elder Pitt by way of Venice instead of by way of Magna Carta, with which he wasn't very much impressed. So you have the British Empire, not simply a little island in the North Sea, working out its way to empire in a half-hearted way, but an empire wherever English ships are going. There is the British Empire in the hold of the Mauretania when she goes

out to sea. That is the British Empire to-day watched over by the courts of admiralty, and whose Secretary of State makes a treaty for us in reference to the Panama Canal. Well, I must not keep you too long. That is one British Empire, but that didn't amount to much, after all, until there came inventions and then the era of machines; and then the people of England found that the little Old England that George Eliot describes was passing away before their eyes. Then arose Manchester and Birmingham and all the rest of them. You could wade across the Clyde at Glasgow bridge when Watt was playing at its side. One hundred and fifty years ago there were only a few families at Oldham; there are seventeen and a half-million spindles in Oldham to-day. That is the New England that came into existence; the new world—the world of modern industry and the revolution that came along with it. And that is history just as definitely as the court of Louis XIV. It lies behind our modern democracy and it has left its records, for as soon as democracy came into the open and became the proletariat of to-day it began to count itself. We have the census reports and we know how many millions are at work. We count democracy; we do not name it. You can trace down the history of the nineteenth century the growth of this force which has carried us along to the freedom of modern times. That is in the latest histories. That thing is coming along as an explanation of to-day. So history is not simply a pageant of the past—and yet it is a wonderful pageant.

I think that sometimes when we get discouraged with our history classes and we find out next day they don't know what we gave them the day before last, and next year they act as if they had never had our courses at all—it all happens, I have it right along—we forget that there is as much residue there, perhaps, as comes from the other disciplines which leave their little, little, little deposits time after time, slowly working themselves into the vision of the coming generation. And if we were to leave out of that vision in this age of evolution the story of human evolution it would be the greatest calamity that any nation ever suffered. We have in the nineteenth century seen through the eyes of science that nothing in the world is static, that everything is moving with a vast push. The dynamic outlook of to-day is our contribution. It is that which makes our world different from the eighteenth century, which believed that things had eternal laws and recurred and recurred. The dead weights of the world swing in equipoise, according to Newton's system of the universe. In physics we see, since Young's discovery

of the undulatory theory of light, the theory of ethereal waves, and the radiation of to-day, that even material which seems so hard and solid is a stage of transition. History tells us that it is not only ourselves which will melt away from this audience as soon as I stop talking—and some of us before—but that the desks and the hall and the school and the city and the world itself are in a stage of transition between the yesterday that was and the to-morrow which contains one more chapter in the history of material dissolution. We have found that out in physics; we are finding it out in history. This desk is a center of moving energy, each atom filled with electrons; it is not in a state of permanence at all, but of history. And so I say, as science has shown us that the organic evolution before us stands out more distinctly, that the first amœba in the ocean was merely a transition to other things; with this vast history of milleniums back of us, this evolutionary quality which makes the whole world's history, it would be a tremendous calamity if we should leave out of our historical survey the evolution of ourselves and our society, of our intelligence, of our warfare, and of our institutions. Even if that vision of the transition of things cannot always be before our eyes, it can furnish us a background by which to judge of the ideas of any science which may pass before us for our criticism. And even if some of us never get into such deep philosophy or carry ourselves along into this complex of sciences, there is left for the least of us, as for those students even in the most elementary schools, the poetry of history. I sometimes stand in amazement in New York before the splendor of its daring architecture; and my mind travels back to the Middle Ages and to antiquity and to the brains that wrought there in the architecture of all the human past, gathered into the brains that created the Woolworth building, we will say. To stand and watch the creation of the modern world, with some vision of the fact that back of it lay these centuries, with some vision, as I say, of the eternal pull of the ages and the tragedy of the unknown who contributed to it at every stage, I imagine has given me a larger human sympathy and a better outlook into the problems of to-day, and I should be a better citizen for the history that I have worked out.

THE MORAVIAN MISSION NEAR ANDERSON

By JACOB P. DUNN, Secretary Indiana Historical Society

[A bronze tablet in commemoration of the Moravian mission to the Indians, 1801-1806, was unveiled Sunday afternoon, June 2, 1913, at the roadside, directly in front of the residence of Mathias Hughel, two miles east of Anderson, by Kikthewanund (Anderson) chapter of the Daughters of the American Revolution. The tablet, a bronze plate, 9x12 inches, is imbedded in a large boulder taken from the mission site. As explained on the tablet, the Moravian mission site is one mile south of the location of the tablet, the site being at the extreme south side of the Hughel farm and along the north bluffs of White river.

One of the members of the Moravian mission, near Anderson, was named Kluge. His son, John H. Kluge, born December 31, 1805, was the first white child born in Madison county. Miss Alice Kluge, of Hope, Ind., and Mrs. Bromfiel, of Richmond, daughters of John H. Kluge, the Moravian missionary, were among the visitors at the tablet unveiling, and none was more interested than they were.

Other features of the program included ritual ceremonies of the D. A. R., including a flag salute. Mrs. C. D. Shipley, regent of the local chapter, was to have presided and read a sketch of Kikthewanund, the Indian chief, who was on friendly terms with the Moravian mission. Mrs. Shipley was called out of town by illness and the sketch of Kikthewanund was read by Mrs. Brady.

The principal address, delivered by Jacob P. Dunn, of Indianapolis, was as follows:]

THE good people of Anderson and of Madison County are this day doubly to be congratulated. You are fortunate in having this patriotic organization of women who are erecting this monument—women who see and appreciate the value of historic memorials. This organization, with its kindred organizations, is doing more than any other agency to make the people of Indiana realize that they have already a history in which they can take a just pride. And this is a great work, for as Macaulay truly says: "A people which takes no pride in the noble achievements of remote ancestors will never achieve anything worthy to be remembered with pride by remote descendants."

You are also fortunate in having here a spot worthy of a monument—a spot consecrated by the self-sacrificing efforts of devoted men and women for the welfare of their fellow-men; until you may almost say: "The ground whereon we stand is holy ground." There

were no nobler missionaries than the Moravian missionaries; and there were none that more aptly touched the Indian character, and really changed the natures of their converts. The reason for this was keenly expressed by one of their earliest converts in eastern New York. His Indian name was Wa-sa-ma-pah, but he was always known as "Tschoop." The whites had named him Job, whether on account of his miserable condition or his wisdom is not recorded, and Tschoop was the Delaware effort to pronounce Job. He was a worthless old drunkard until his conversion brought him a new life; in which he persevered until he earned his honorable burial among the Moravian saints in the old cemetery at Bethlehem, Pennsylvania.

He said: "The first missionary who came to us argued to us that there was a God; but we said to him, 'Do you suppose that we are so ignorant that we do not know that?' and sent him away. Then another came, and told us that it was wrong to lie, and steal, and get drunk; and we said to him, 'We know that as well as the whites, but they do these things as much as we do. Go back and preach to them.' Then Christian Henry Rauch came to us, and he told us how God's Son had come on earth, and suffered and died for us, to save us from our miserable lives. That was wonderful; and I could not sleep all night for thinking about it." In other words, the Moravians were the first sect that centered their religious teaching on the infinite love of an Almighty Father and a pitying Elder Brother.

This was the message that this little band of Moravians—John P. Kluge and wife, Abraham Luckenbach and a few Indian converts—brought to Indiana when they arrived at this place, just about this time of the year, one hundred and twelve years ago, and began their labors. They encountered all the hardships of other pioneers in preparing their simple log home and securing food; more in fact, for they had no wagons, and all transportation was packing by horse or man. But in addition to this they were constantly working for the conversion of the Indians, and here as elsewhere this was a painfully slow process. Their success was not with the prosperous, but with those in trouble—with individuals who had made shipwreck of life through misfortune or folly—with people who not only needed help, but who could be made to feel that appeal from the depths, "Other refuge have I none." To these for five long years they brought the tidings of hope—

“Speaking some simple word
From hour to hour, to the slow minds that heard;
Holding each poor life gently by the hand,
And breathing on the base, rejected clay
Till some dark face shone mystical and grand
Against the breaking day;
And lo! the shard the potter cast away
Was grown a fiery chalice, crystal fine,
Full filled of the divine
Great wine of holy faith, by God’s ring finger stirred.”

That was their reward. That was the full recompense for all their trials and hardships.

But these missionaries were not to be permitted to carry on their kindly and peaceful work. The situation was peculiar. The frontier boundary had been thrown back by Wayne’s victory over the Indians at the Fallen Timbers, and the Treaty of Greenville. On account of these, many Ohio Indians had been pushed over the line into Indiana; and while they had no title to any specific lands, as against our native tribes, they felt that they had, and they asserted an equitable claim that they were entitled to a holding share in the lands here. Accompanying this was the rise of the religion of the Shawnee Prophet Tems-kwa-ta-wa, which was based on a racial brotherhood of the Indian tribes, and a common duty of resisting the encroachments of the Americans. The Delaware towns on White River were the first headquarters of this new religion; and its leaders and adherents were maddened by seeing treaty after treaty made by Indians friendly to the whites, by which Indian lands were taken from the Indian domain. Remonstrances proved fruitless; and they next adopted the expedient of accusing Indians who were especially friendly to the whites of witchcraft, and executing them as criminals.

This hostile spirit was painfully felt at the little mission, for the Indian converts were naturally notable as friends of the whites. Disturbances by drunken and reckless Indians increased, and finally, on March 17, 1806, the climax was reached when a band of warriors, in black war paint, appeared here, having in custody old Ta-ta-pach-sit, the head chief of the tribe, who had been accused of witchcraft, and who had confessed in the hope of escaping death. But confession was not enough. One of the conditions of pardon was that he should surrender his witch-bag, and he had none. He had trapped himself fatally. In his desperation he declared that he had buried it at the mission, and they brought him here to point out the place.

They began most ominously by building a fire; and then demanded that the old chief indicate where the witch-bag was buried. He pointed out a spot. They dug, and found nothing. He pointed out another, and again they dug and found nothing. And so it continued until they were convinced of his deception, and thoroughly exasperated. Then his own son sank his tomahawk in his brain, and his body was cast into the flames. All this occurred before the eyes of the terrified people of the mission; and their feelings may be imagined when, on the next day, they learned that Joshua, one of the Delaware converts who had come with them from Ohio, had met a similar fate at Muncie. They were now confronted by the grim reality of their situation. They were not merely in danger themselves. They were bringing death to the poor creatures whom they were seeking to save. What should they do? It was a situation where any mind might well hesitate as to whither the path of duty led. They decided to leave the question to their brethren in the East, and, as veritable Christian soldiers, held their post while messengers went over the long trails to Bethlehem, and brought back the word to withdraw from the mission. Then they gathered together their little belongings, and, on September 16, 1806, the missionaries, with the two little sons that had been born here to Brother and Sister Kluge, and a few faithful Indian converts, bade a sorrowful farewell to their home in the wilderness and turned back on the long journey to civilization and friends. The mission to the Delawares on White River was ended.

But the tragedy enacted at this place had a far wider significance than its immediate effect on the mission. We mark the steps of history ordinarily by great events—by acts of legislation, by battles, by treaties; but the causes that lead to these events are movements of human sentiment; and these are what really make history. As has been truly said: "They are not achieved by armies, or enacted by senates. They are sanctioned by no treaties, and recorded in no archives. They are carried on in every school, in every church, behind ten thousand counters, at ten thousand firesides." And likewise, they mature in the depths of the forest, in the rude villages of the savage. This tragedy was a beginning point in the great movement that included the removal of the Prophet and his followers to the Wabash, the battle of Tippecanoe, and the hostility of the Indians in the War of 1812. Here was the first bloodshed, the first hostile act in that mighty struggle; and while this has its distinctive local sig-

nificance, it is an essential feature of the history of Indiana, of the Northwest, of the United States, of the world.

We are in the centennial period of that struggle now. One hundred and one years ago this day, the Ohio troops marched from Dayton on their way to Detroit, under the ill-fated General Hull; and for the next three years not only this western country, but the whole nation was moved by the alternating hopes and fears of war, by victories and defeats on land and sea; until at length American arms were triumphant; and the nation emerged from its second baptism of fire and blood, weak from the struggle, but strong in the victory gained.

The peace that was then attained was one of the most notable in the annals of the world. It was a peace between the two great English-speaking nations of the earth, which has remained unbroken to this day. You may have noticed from time to time the statements in the public press of preparations being made in various parts of the country to celebrate the centennial of that great event. And who should celebrate it more royally than the people of Indiana? The admission of Indiana to the Union was the first fruit of that peace, for when the dangers of British and Indian hostility were removed, population flowed into our lands, and statehood was made possible. Next year the people of this State decide by vote whether or not they will celebrate in a fitting manner the centennial of Indiana's admission into the Union; and if the enlightened spirit which caused this action here to-day shall prevail among the people, you will be able then to aid in celebrating the climax of the historical movement which originated on this ground.

But I would not magnify your local interest in this proposed celebration of 1916, because it is of small importance in comparison with your interest as citizens of Indiana. This is a proposal for a celebration by the State of an event that is of equal interest to every citizen of the State—the one-hundredth birthday of the State—the close of a century of growth and progress—a century of organized, independent self-government. And the mode of celebration that has been offered is one that appeals to every one who takes an intelligent interest in the history of his State, for it is essentially and peculiarly a preservation of our history. The plan that has been proposed, and that will presumably be carried out if the people vote for the celebration, embodies four features:

1. The erection of a memorial building at Indianapolis for the State Library and State Museum, which are the State's two chief

agencies for the preservation of history—the one keeping the printed and written records, and the other the physical records, the relics of war and peace, the battle flags, the specimens of animals and plants native to the State, and everything by which any feature of the State's history may be presented directly to the eye.

2. The purchase and preservation of the old State capitol at Corydon, which is the one historic building of a State character that still remains to us—the building in which the State was born.

3. The publication of the Historical Survey of Indiana, which is being made by the Historical Department of Indiana University, and which is of equal value to every part of the State, for it will be a mine of information as to local history, as well as State history, and will correct many errors that have been made in the past.

4. A temporary celebration, with public meetings, addresses, historical displays, and other features of public interest, in which every part of the State will participate, and which will impress on the present and the rising generation something of the trials and labors of our pioneer forefathers, who laid the foundations of our commonwealth.

I speak of this to you because your presence here shows your interest in historical matters; and because this occasion furnishes the answer to the only objection that has been offered to the proposed celebration in 1916—an objection based wholly on a strange local prejudice—that the proposed centennial building is to be erected at Indianapolis, and that therefore it ought to be regarded as a local affair of Indianapolis. The first answer to this, which is furnished here, is that there are some things whose location is necessarily fixed, and among them are historic places. This spot cannot be moved. The events which we commemorate to-day occurred here; and this is the only place where they can fittingly be commemorated. The historic impress made by the Moravian missionaries and the Indians with whom they labored is fixed indelibly, forever, on this piece of ground. It is yours especially to preserve and care for, because you live in this vicinity.

But that does not make these events any the less interesting features of the history of the State. It is on account of their general interest that the Indiana Historical Society has been endeavoring for several years to gather all the information it could concerning them. I am glad to say that it has found the original diary that was kept here for five years by the missionaries, and has had it translated from the original German into English; and we hope soon,

with the aid of Mr. Brady, who is to edit it, to have it in print, and within the reach of every citizen of the State. For like reasons the society secured and published the diary of William Owen, which deals with the early history of New Harmony, in Posey County. For like reasons it sent over to France, and through the aid of Consul General Gowdy, secured and published all of the papers that could be found in the public archives there, concerning the early French settlements on the Wabash River. For like reasons this society, and the several patriotic societies of the State, are contributing to the support of the Indiana Magazine of History, which publishes historical material relating to every part of the State. In other words, these organizations are proceeding on the basis that the history of Indiana is of necessity largely composed of events that are in one sense local to the several municipal units that make up the State, and there is no other rational basis on which they could proceed.

Likewise the State, in what historical work it has done, has gone on the same basis. It erected a monument at Tippecanoe battleground. It erected a monument at the site of the Potawatomi mission at Twin Lakes, from which began the last great removal of our Indians to the West. It erected a monument at the graves of the victims of the Pigeon Roost massacre. And it did these things because the events thus commemorated, while they were in a sense local, were parts of the history of the whole State, and things which the State as a State should hold in memory. These were worthy and proper things to do, and it is a matter for just pride that no voice was raised against these expenditures of the State. So the State Library gathers and preserves every scrap of local history that it can obtain; every work of an Indiana writer that can be had. So the State Museum gathers and preserves historic memorials from every part of the State.

The proposed celebration of 1916 is unique in that it contemplates a monument which shall be a thing of enduring practical use to the people of the entire State, by housing the historical agencies of the State. And this is a matter of practical necessity on account of the crowded condition of the State House. The growth of the State and the increase of public business have not only filled every room originally intended for use, but have also forced the shutting off of available corridors, and converting them into rooms. Every member of our recent Legislatures is aware that there are no longer any rooms available for committee rooms, and that legislative committees

are obliged to meet in the offices of the various State departments, interfering with their work, and often interfering with a proper consideration of legislative business. By removing the State Library and State Museum from the capitol building, it can be given over entirely to the needs of public business.

This is an inevitable effect of the development of a State. The United States government was forced to take similar action many years ago; and now not only the National Library and the National Museum, but also all of the executive departments have been removed from the capitol; and the original building, with its two large wings, is used exclusively by Congress, and in addition it has been necessary to put up two great buildings for committee work, one for the Senate and one for the House of Representatives. A number of the States of the Union have been obliged to take similar action, on account of the growth of public business that necessarily accompanies an increase of population and the development of institutions that call for public supervision.

In our case the lack of room is especially detrimental, because the State Library and the State Museum are worse overcrowded than any of the other departments, and on account of this both of them have been obliged to refuse donations of valuable material, for the lack of room to keep it properly. The battle flags of the Indiana regiments, which are finally being adequately restored and cared for, are placed in the corridors, because there is no other place for them. Can any one say that a continuance of these conditions is creditable to the great State of Indiana? Of necessity these two institutions must be located at Indianapolis, because it is the seat of government, and they are adjuncts of government. But it should be remembered that it is the seat of State government—not merely the government of any one county, but the government of the people of every county, from the Ohio to Lake Michigan. And all the historic memories that accompany a seat of government cluster about it. It was there that the laws were enacted that have made Indiana one of the foremost in the ranks of progressive States. It was there when war came that Indiana's sons assembled to go forth for the protection of their country. It was there when war was ended that the veterans returned to receive the plaudits of their fellow-citizens and to resume the duties of peaceful life. It was there that the great political and civic gatherings of the State have been held. What more appropriate than that there should be at the capital of the State a great library where the history of every part of the State can be

found, and a great museum, open to all the people of the State, which shall be to Indiana what the National Museum at Washington is to the nation?

It would be a blessing to Indiana if we could develop an intelligent State pride, as we have developed an intelligent national pride, for our national pride is a thing of development. There was a time—a long time—when sectional envy and jealousy threatened to disrupt the nation; and in that troublous period, the words of that great American, Daniel Webster, came to the whole people as a bugle call to the defense of the Union. You know the story. Senator Hayne of South Carolina had disparaged Massachusetts in comparison with his own State, and with infinite tact, Webster declined to enter into any defense of Massachusetts. He said: "She needs none. There she is. Behold her and judge for yourselves. There is her history; the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain forever. The bones of her sons, falling in the great struggle for independence, now lie mingled with the soil of every State from New England to Georgia, and there they will lie forever."

But rising to still greater heights, he said: "I shall not acknowledge that the honorable member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor, I partake in the pride of her great names. I claim them for my countrymen, one and all, the Laurenses, the Rutledges, the Pinckneys, the Sumters, the Marions—Americans all—whose fame is no more to be hemmed in by State lines than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their generation they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he esteem me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light of Massachusetts, instead of South Carolina? Sir, does he suppose it is in his power to exhibit a South Carolina name so bright as to produce envy in my bosom? No, sir; increased gratification and delight, rather. I thank God that, if I am gifted with little of the spirit which is to raise mortals to the skies, I have yet none, as I trust, of that other spirit which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit, because it happens to spring up beyond the little limits

of my own State or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of Heaven, if I see extraordinary capacity and virtue, in any son of the South; and if, moved by local prejudices or gangrened by State jealousy, I get up here to abate the tithe of a hair from his just character and just fame, may my tongue cleave to the roof of my mouth."

And so he went on in that wonderful plea for a national sentiment till he concluded with that immortal motto: "Liberty and Union, now and forever, one and inseparable." You older people will remember when you used to have that speech in your reading-books; and I wish it were still in them, for as an unquestionable historic fact no one utterance contributed so much as this to building up our national sentiment, and insuring the preservation of the Union when the shock of war finally came. And the patriotic organization that dedicates this monument to-day, with its kindred organizations, is perfecting that great work of cementing our common country. It is nothing to them that one's ancestors were from Massachusetts, or South Carolina, or Pennsylvania. The tie that binds them is that those ancestors stood shoulder to shoulder in the struggle for independence. And so, woman has become not only—

"A link among the years, to knit
The generations each to each."

but also a link among our commonwealths to bind them in a common fatherland.

Moreover, these noble women are doing a similar service for Indiana. They are helping to make the lines that divide our counties as imaginary in sentiment as they are on our soil. And why should this not be the sentiment of every citizen of Indiana? Is James Whitcomb Riley the less an Indianian because he was born in Hancock County? Was Oliver P. Morton the less an Indianian because he was born in Wayne County? Was Lew Wallace the less an Indianian because he was born in Franklin County? Was Captain James B. Eads the less an Indianian because he was born in Dearborn County? Was Joseph Joaquin Miller, who passed away a few days ago at his adopted home on the Pacific slope, the less an Indianian because he was born in Union County? Not so. These men were products of our State, and we may all justly take pride in their achievements. And so this simple monument that we dedicate here

is not merely a monument of Kik-the-wa-nund Chapter, not merely a monument of Anderson, or Madison County, but a memorial of Indiana and of the nation.

My friends, the ashes of old Ta-ta-pach-sit, which were scattered here, may be springing in the violet or the wild poppy. We cannot tell. But this I know: They are not rising in any fairer flower than the flower of sentiment that is springing here from the memories of this place. And this should be the spiritual State flower of Indiana—a flower to be planted wherever a worthy deed or a memorable event has occurred—a flower which shall enwreathe every monument we may raise to the past—a flower that may be laid on the grave of every worthy son and daughter of Indiana, as a loving tribute from a grateful commonwealth.

LIFE IN INDIANA, 1800-1820

By ROLLA M. HOGUE, A.M., Vincennes High School

HOW many people were living in the Territory of Indiana in 1800 probably no one knows. The Territory at that time included all the land between the British possessions on the north; a line running from the mouth of the Kentucky River to Fort Recovery, now in western Ohio, thence north to the British possessions, on the east; the Ohio River on the south, and the Mississippi River on the west. This was divided first into four parts—Knox County, comprising a little more than the entire eastern half; Randolph County, touching the Ohio and the Mississippi rivers, just west of the southern point of Knox County; immediately north of Randolph and west from the Knox County line Saint Clair County extended to the Mississippi and Illinois rivers; the remainder was a long north and south strip of unorganized territory in the northwest.¹

The population of Indiana in 1800 was estimated at 4,875.² In 1810, after the Illinois Territory had been separated from it, Indiana had a population of 24,520; by 1820 the population was 147,178.³ When the territorial government was formed in 1800 the chief centers of settlement were at Vincennes and in the southeastern part of the territory, on or near the Ohio River. A few years later the

¹See maps by E. V. Shockley in Indiana University Library.

²Tucker, *Progress of the United States*, p. 19.

³*Ibid.*, pp. 24, 32.

Quakers, coming from North Carolina, began to settle on the present site of Richmond.⁴ As the population continued to grow by immigration it spread along the Wabash, the Ohio and up the White-water valley. This spread of population in the Territory was from south to north, for the immigrants entered through Kentucky, or by way of the Ohio River, floating their boats down from Pittsburgh. As south central Indiana was more rugged than the borders, east as well as west, the central strip of the Territory lagged behind in the northward push of population.⁵ The tide of immigration from the Eastern States was not very strong until after the completion of the Erie Canal in 1825. After that date, however, the immigration into northern Indiana was very marked, by way of the Maumee-Wabash valley.⁶ But that there was a considerable number of people going to the West from New England is indicated by a note in *Niles' Weekly Register* for November 29, 1817, which reports a company of 116 persons, with more than twenty wagons, on their way to Indiana, all having come from one town in the district of Maine.

The natural waterways were much used as routes of travel during the early history of Indiana. One reason was that the forests in many places were so dense as to be a serious impediment to the passage of wagons and carts. Then, too, one might more readily protect himself from injury in case of attack by Indians if he were on a boat than if he were on land. On a trip down the Mississippi in 1808, a Mr. Bradbury wrote of broad boards on the boat designed for such protection.⁷ The day of canals had not yet come. By 1805, however, steps had been taken looking toward the construction of a canal around the falls of the Ohio at Louisville.⁸ This scheme came to naught. A canal was put in operation at this point in 1830, however.⁹

The first roads of Indiana were blazed trails through the forests. These were laid out by the settlers taking their axes and cutting away and removing enough of the trees and logs that wagons might be enabled to pass, and at short intervals hewing off the bark from

⁴Wasson, John M., *Annals of Pioneer Settlers*, p. 9.

⁵See maps by E. V. Shockley; also Lois Kimball Mathews, *The Expansion of New England*, maps, pp. 198, 206; also Ellen C. Semple, *American History and Its Geographic Conditions*, maps, pp. 71, 108, 152.

⁶Benton, Elbert Jay, *The Wabash Trade Route in the Development of the Old Northwest* (In Johns Hopkins University Studies, Series XXI).

⁷Thwaites, R. G., *Early Western Travels*, V, p. 187.

⁸*Ohio Valley Historical Miscellanies—A tour in Indiana, Ohio and Kentucky in 1806*, p. 14.

⁹*Ibid.*, p. 16, note.

a tree so the traveler might be able to keep the road by means of these "blazes" on the trees.

In giving directions for a new trace near the Patoka River in 1807, W. H. Harrison, Governor of Indiana Territory, directed that it be opened only seven or eight feet wide, as it was for foot soldiers chiefly, not for wheeled vehicles or sleds. The men were to cut the brush and blaze the trees and need not follow a straight line, but wind about so as to avoid hilly ground, trees and logs.

In many cases the road followed some trace or old Indian trail, and might then require less clearing or marking. The need for roads was so keenly felt that a law of 1807 required all males, resident in the township for thirty days, between the ages of twenty-one and fifty years, to work on the roads as much as twelve days a year if the road supervisor deemed so great an amount of labor necessary.¹⁰ The court of common pleas was to order new roads opened up to the necessary width, not exceeding sixty-six feet. At each mile a mile-post was to be erected, marked with the number of the mile. At the forks of each highway the road supervisor was required to erect and keep a signpost "directing the way and mentioning the most remarkable places on each road." Ten dollars was forfeit to the supervisor, for the use of the roads, from any one defacing or altering this inscription so as to destroy its utility.¹¹

As population grew the time required to work on roads was reduced—in 1818 to not over six days for males over eighteen years of age.¹² The width of roads to be opened was at that time fixed at thirty-three feet, instead of sixty-six feet as in 1807. The same act also provides for private cartways, as had the act of 1807. These might be closed by means of gates, but the public was to be allowed to use them. They were to be not over eighteen feet in width and maintained by those petitioning for their establishment.

The demand for roads was evidently being in considerable degree met, for an act approved December 31, 1818, required only those between the ages of eighteen and fifty to labor on roads, and fixed the time at two days and no more—except that the land tax for roads might be worked out at the rate of 75 cents per day.

The bridging of the smaller streams was a duty of the supervisor and the road laborers in his district. But the judges of the courts of common pleas were empowered to have bridges built and

¹⁰*Laws of Indiana*, 1807, p. 296.

¹¹*Ibid.*, 1807, p. 302.

¹²*Ibid.*, 1818, p. 273.

paid for by the county if they thought it too heavy a burden for the district to bear in the given case.¹³

Toll bridges were of frequent occurrence in the early history of the State. An act of the Legislature, approved January 1, 1819, authorized John Barricklow and Gideon Cummings to build a toll bridge over Laughery Creek, in Dearborn County, at the town of Hanover. The statute required it to be at least sixteen feet wide in the clear, with a good railing on the sides, "for whatever might pass that way"; it was not to be allowed to obstruct the navigation of the creek; the mail and troops were to pass the bridge free; the commissioners of the county were to fix the rates of toll; these rates were to be posted on the bridge in large print, in the English language; after thirty years the county might buy the bridge at a price fixed by five men—two chosen by the county, two by the owners of the bridge, and a fifth chosen by these four; the county was not to open another bridge nor a ferry within a mile of this bridge while it was kept in repair as a toll bridge.¹⁴

The bridges of the early days in Indiana were built almost entirely of wood, if not quite so. Stone came into use for the piers of the larger bridges. Small streams were bridged by throwing trunks of trees across the stream for "sleepers," then on these a floor of heavy poles or of logs split in halves was laid. The smaller bridges were not roofed, but larger ones frequently, if not usually, were. This protected the wooden pins from decay—for the timbers were mortised and pinned together; iron bolts for such purposes were not yet in use.

As time passed the demands for better roads, instead of the miles of mudholes and stumps, led to the use of corduroy roads. These were made by paving the road with poles laid side by side as closely as possible, directly across the track. Many of these roads were very rough. Numbers of them, however, were made of rails. If the rails were so placed as to have a flat surface upward, the road could be made rather smooth, even for the wagons of those days, which had no springs for the seat. The plank road (usually a toll road), which came a little later, proved rather an expensive luxury, and was not very popular.

Before the War of 1812 came on the Congress of the United States was taking steps looking toward the building of roads in Indiana. On motion of Jonathan Jennings, delegate from the Ter-

¹³*Laws of Indiana*, 1807, p. 304.

¹⁴*Ibid.*, 1818, 1819, p. 135.

ritory, on December 19, 1810, a committee of three was appointed to inquire into the expediency of extending the United States road from Vincennes to the eastern boundary of Dearborn County, Indiana, there to meet the State road from Chillicothe, Ohio. Similar action was taken January 4, 1811, in regard to a road from Vincennes, Indiana, to Dayton, Ohio. On January 28, 1811, Mr. Jennings presented a petition from Indiana praying for United States funds to build a road from Jeffersonville, Indiana, to Detroit, Michigan.¹⁶ This at least shows something of the concern for road construction. Nothing seems to have come of it, however. But when the enabling act for creating the State of Indiana was passed, one section provided that 5 per cent. of the proceeds of government land sales should be used for roads—3 per cent. thereof to be used in the State under direction of the General Assembly, 2 per cent. used by Congress for constructing a road or roads to the State.¹⁷

For vehicles of travel the early settlers of the Middle West had the canoe, the pirogue, the Kentucky boat (or ark as it was called on the northern rivers), the flatboat, and after 1812 the steamboat; and on land the sled, cart, or wagon used by the farmer, the stage-coach, the horse and saddle, and occasionally a carriage or chaise.

Carts were in use very early in Indiana—in fact, it is said the French used them to transport stores at the Maumee-Wabash portage before the English occupation. They were used by farmers to haul wood to market and to bring grain in from the fields or to take it to the mill. Sleds were employed for the same purposes.

The wagons were rather clumsy. In some cases, at least, both carts and wagons had wheels made of cross sections of a large tree, usually a black gum. Such a wagon was called a truck. A four-inch hole was made in which to insert the axle. The tongue was made of white oak, split and inserted in the front axle. The coupling pole was fitted in the center of the axles and then pinned. Then heavy bolsters were put on and on these was fastened the bed made of boards.¹⁷

Blacksmiths had plenty of work to do in supplying the demand for vehicles and tools. Broken wagons were not discarded for new ones, however. If a tire came loose, the teamster stopped, cut a tough sprout, usually a hickory, twisted it until it was quite flexible, then wrapped this with round and round tire and felloe and tied

¹⁶*Annals of Congress*, 1810-11, pp. 450, 487, 830.

¹⁷The Enabling Act of 1816 is printed in the *Revised Laws of Indiana*, 1831. See the section on p. 36.

¹⁷Cockrum, Wm. M., *Pioneer History of Indiana*, p. 320.

it as we would tie a rope. Then his wagon was ready for long-continued service, or at least until he could have the tire "cut"—that is, slightly shortened and replaced—by a blacksmith.

Carriages were not plentiful. Some of the more well-to-do in the towns had them. Occasionally, too, some European traveler on a scientific tour or a trip to invest in western lands drove through in his chaise or carriage.

The canoe used by the early settler was a log hollowed out with his ax, or his adz, if he were so fortunate as to possess one. The pirogue was made by splitting a canoe and inserting a broad board lengthwise through the center.¹⁸ This considerably increased the capacity of the craft.

The most important boats on the western rivers before the advent of the steamboat were the flatboats. They seem to have been the same as the Kentucky boat or the ark. They would carry several tons. Mr. Bradbury, an Englishman, who was collecting botanical specimens in the West in 1816, says the arks made for descending the Ohio River from Pittsburgh were flat-bottomed boats, about fifty feet long; they were made only fourteen feet wide, so they might pass through the chute on the Indiana side at the falls of the Ohio near Louisville. An ark for four or five families and twenty-five or thirty tons of goods could be bought for \$75.00. It could be sold for nearly its cost six hundred or eight hundred miles farther down.¹⁹ Burnet says they were made of green oak plank, fastened by wooden pins to a frame of timber, and caulked with tow or any other pliable substance that could be secured. Their material was sometimes used to make temporary buildings for protection from the weather, or for safety, when the cargo to Louisiana was landed along the coast.²⁰

Sometimes some of these boats made the trip up the streams. They were propelled against the current by being "poled"—pushed forward by means of a pole applied to the bottom of the stream by the oarsman. It was hard work to stand up thus and push all day, but the strongest part of the current was avoided in the ascent if possible. In 1811 one was reported to have made the trip from New Orleans to Lawrenceburg, Indiana, in ninety-seven days—a quick passage.²¹ These boats were built in summer and floated out

¹⁸*A Popular History of Indiana*, p. 121. The introduction of this book is by Mrs. Thomas A. Hendricks. No author's name appears.

¹⁹Thwaites, *Western Travels*, V, p. 301.

²⁰Burnet, Jacob, *Notes on the Northwest Territory*, p. 49.

²¹Smith, W. H., *History of the State of Indiana*, II, p. 644.

to the Ohio from the smaller streams when the freshets came, loaded with the produce of the farms.

A Mr. Cumming, on a tour of the West in 1807-1809, tells of seeing one of these boats, a "keel" of forty tons, propelled by means of horse power. An axle crossed the boat bearing on each end eight paddles. The six horses used walked round and round on a platform built above other parts of the boat. It made about twenty miles per day against the current. The owner was disposing of a cargo of sugar brought from New Orleans.²²

The first steamboat on the rivers of the central part of the United States seems to have been built at Pittsburgh in 1811. It was the "New Orleans," built for Nicholas J. Roosevelt by Livingston and Fulton. Its first trip, from Pittsburgh to New Orleans, was made in the fall of 1811. Mr. Morrison gives a thrilling account of this journey in Chapter IV of his *History of American Steam Navigation*. In a few years a number of steamboats were in commission on the Mississippi and the Ohio Rivers.²³ *Niles' Weekly Register*, April 13, 1816, says: "The passage of steamboats up and down the western waters is now so common as to excite but little attention." And on April 17, 1819, it says that since 1812 forty steamboats have been built on western rivers, thirty-three of which were at that writing in commission, seven having been wrecked, burned or abandoned. At the same time it reports twenty-eight more in process of construction. The improvements in water travel were keeping pace with the growth of the country.

The steamboats burned wood almost entirely for their fuel.²⁴ The crew went ashore and loaded this fuel from piles of wood bought of the settlers.

An attempt by Fulton and Livingston, of New York, to keep the steamboat trade a monopoly on the western rivers created not a little feeling in the West. Their attempt happily failed. Prices established by the Legislature of Louisiana in 1812 were as follows, from New Orleans to Louisville: For heavy goods, 4½ cents per pound; for light goods, 6 cents per pound; for average goods, 5 cents per pound.

The passenger fare from New Orleans to Louisville was

²²Thwaites, *Early Western Travels*, IV, p. 264.

²³See *History of American Steam Navigation*, IV, by John H. Morrison. New York, 1903.

²⁴Nicholas Roosevelt provided some coal for his initial trips with the "New Orleans" in 1811 by opening mines beforehand along the Ohio. He is said to have taken coal at Troy, Indiana.

\$125.00.²⁸ Many of the Indiana flatboat men, however, walked home after selling their cargo at New Orleans.

The houses of the early inhabitants of Indiana were in nearly all cases of wood—mostly log cabins. A few were of brick. The walls were often of logs in the round; for the better houses the logs were hewed. Sawed boards soon began to be used for floors and door jambs, instead of split logs that had been only smoothed a little with ax or adz. For quite a while greased paper served for window panes, instead of glass. No rafters were used in the ruder houses, but instead, logs were laid lengthwise of the building, nearly as far apart as the length of the clapboards, each log a little higher than the one next nearest the side of the building. On these clapboards were laid, and the boards held in place by smaller logs or poles laid on top of them and tied there.

Doors were made heavy, with the latch string so it could be pulled in in case of danger from the Indians. Sometimes a farmer had a hole through his door through which he might fire if danger came to his home. His stable was often built so as to be commanded from this rifle opening, that he might protect his horses from Indian thieves.

The furniture of the home was simple, often crude. The earliest settler usually made it for himself—a bedstead made of poles and ropes, a bench from a split log, and other articles of equally simple pattern. It was not long, however, until machinery improved the nature of these articles, many of which are now prized on account of their historic interest or their artistic merit.

Food was very simple—the product of the field and forest. Cooking utensils were of iron, usually. A skillet and a pot or two might be the entire outfit for one home in the beginning. Salt was scarce. In 1807 the people of Vincennes petitioned the Governor, W. H. Harrison, for soldiers to escort them to the salt works west of the Wabash so as to protect them from the Indians, who were at that time unfriendly. They were heard and received orders to be at the salt works on certain days, in companies of at least fifteen, one-half the force to act as a scouting party and patrol the adjacent region for miles.²⁹

The pleasures of the day were simple. Various forms of athletic activity were indulged in—wrestling, jumping, running and

²⁸Morrison, *History of American Steam Navigation*, p. 218.

²⁹Cockrum, Wm. M., *A Pioneer History of Indiana*, p. 216.

others. The infairs following weddings were occasions of note, sometimes accompanied by dancing and a little drinking.

Clothing was mostly made in the home. Here the wool or flax was prepared and spun and woven, then cut into garments and sewed by hand. Hides were tanned and shoes made by the father, or by a cobbler near by. Leather was used for aprons and trousers, sometimes, or even for jackets. Tailors' prices were \$5.00 for a coat, \$2.00 for pantaloons. Clothing of children ten to sixteen years of age was one-half price.

Churches were few. At first, until a community was able to erect a building, services were held in the homes of the people, where the neighborhood would attend. The first buildings were erected shortly after 1800. The Wabash Baptist Church, of Palmyra Township, Knox County, was one among the early organizations. An act of the Legislature of 1807 provided for its incorporation, with Robert Elliot, John Alton and William Bruce as trustees.²⁷ It was later sold to the Presbyterians, and is now known as the Upper Indiana Church.

Schools of the Territorial and early State period were as primitive as were other institutions. The term was three or four months per year.²⁸ The house was of the same general nature as the dwellings, rude and ill-lighted, heated by one large fireplace. Books were few; so were teachers. They taught reading, writing and arithmetic. Occasionally a class was formed in geography or grammar. The constitution of 1816 provided for county seminaries and for libraries. It was years before much was accomplished. The Legislature of 1821 directed a committee to bring in a bill at the next session for a general educational system.²⁹ The Legislature had provided, in 1807, for the incorporation of Vincennes University, but it was some time before it was in effective operation. What schooling the children got, in most parts of Indiana, was provided entirely, or nearly so, by the family.

The period of great industrial development did not come to Indiana before 1820. There were some factories springing up in the towns, it is true. The chief industry of such a region, however, was to furnish lumber, tools, vehicles and such for the population, and to convert the produce of field and forest into marketable goods. So sawmills, blacksmith shops, tanneries, gristmills and distilleries soon

²⁷*Laws of Indiana*, 1807, p. 491.

²⁸Smith, Wm. H., *History of the State of Indiana*, II, p. 514.

²⁹Dillon, J. B., *History of Indiana*, p. 568.

grew up. The census of 1810 gives the following figures for Indiana Territory: Gristmills, 33; sawmills, 14; tanneries, 18; distilleries, 28. And under products we find these listed: Value of cloth manufactured, \$159,052; value of nails manufactured, \$4,000; value of leather tanned, \$9,300; values of distillery products, \$16,230; value of gunpowder manufactured, \$1,800; value of wine manufactured, \$6,000; maple sugar produced, 50,000 pounds.

Though the life of the people of Indiana seems primitive, even crude in many aspects, in the twenty years preceding 1820, yet it held the promise of a rapid development. The financial difficulties of subsequent years and the spirit of speculation too often prevalent, were factors tending to prevent the development that might otherwise have been expected.

SKETCHES OF EARLY INDIANA SENATORS—WALLER TAYLOR, 1816-1825

By NINA KATHLEEN REID, A.M., of Attica

WALLER TAYLOR was born in Lunenburg County, Virginia, before 1786, the exact date being unknown. He attended the common schools, securing what was then regarded as a liberal education. Later he studied law and was admitted to the bar.¹

In 1804, he moved to Indiana while it was still a Territory, settling at Vincennes. He soon became a steadfast friend of Governor Harrison, who appointed him territorial judge in 1806, in which capacity he served several years.

November 24, 1807, Harrison appointed him chancellor of the Territory in place of Judge Thomas T. Davis, who had died November 15. Davis had been one of the judges of the territorial court. Benjamin Parke was appointed in the spring to fill his place. Parke resigned as Attorney General and June 2, 1808, Thomas Randolph was appointed to that place by the Governor. Randolph, like Taylor, was a Virginian and a man of culture. They, together with Parke, formed the innermost circle of Harrison's friends in the after times.²

April 25, 1807, Taylor was appointed major in the militia for In-

¹*Congressional Directory*, p. 836.

²Dunn, *Indiana*, 361.

diana Territory. February 24, 1814, he was made adjutant general.³ He was in the Battle of Tippecanoe, where he saw Thomas Randolph, his most intimate friend, and Joe Davies fall. Taylor buried them side by side under a tree on which he carved their initials, so that Randolph's daughter, many years afterward found the spot. Before the burial Taylor took a pin from his dead friend's bosom and cut off a lock of his hair. These he gave to the widow when he returned home. Taylor was a determined advocate of slavery. He was strong in his likes and dislikes, and did not care what kind of language he used against his opponent.⁴

In the election for delegate to Congress May 2, 1809, Thomas Randolph, John Johnson and Jonathan Jennings were the candidates. Jennings was brought forward by the antislavery party, while Randolph and Johnson were allied with the proslavery Harrison party, or Virginia aristocrats as they were called, although Randolph at this time denied having ever had anything to do with that party.⁵

In this election Jennings won, receiving 428 votes, while Randolph got 402 and Johnson 81. Taylor was so disgusted at the defeat of his party that he wanted to fight a duel with Jennings. In a letter written June 3 from Jeffersonville to Randolph, he spoke of a meeting he had recently had with Jennings. Taylor would not speak to him until Jennings made him; even then he refused to shake hands. He had been saying all sorts of abusive things about Jennings since the election, but the latter refused to become angry, expressing, instead, esteem for his antagonist. Taylor was greatly disgusted at this. He expressed himself as considering Jennings a "pitiful coward" not worthy of notice.⁶

In the election for delegate to the thirteenth Congress, Jennings and Taylor were opponents. In this election, Taylor tried to avoid the issue of slavery. Following is a letter to the people of Indiana, printed in the *Western Sun* at Vincennes, Indiana, June 17, 1812, in which he pledged himself to oppose any measure which might be brought forward for the introduction of slaves:

TO THE PEOPLE OF INDIANA TERRITORY.

FELLOW CITIZENS: Having been requested by a considerable number of respectable characters to offer myself a candidate for your favor at the ensuing election for Delegate to Congress, and their desires strongly coincid-

³*Executive Journal*, p. 139.

⁴Smith, *History of Indiana*, I, p. 217.

⁵Dunn, *Indiana*, 309.

⁶Dunn, 398.

ing with my own wishes, I have thought proper in this way to announce it to you.

As my services in the Territory have hitherto been confined to the Judiciary and Military Departments, it may perhaps be proper that I should state to you my leading political principles, both as they concern the general problems of the United States, and those which more immediately relate to the Territory; in the first place, then, I am, and ever have been, a republican—I had the honor to serve in the Legislature of Virginia at a time when republicanism was not triumphant in the United States; my votes and my opinions in that assembly will be found to have been ever on the side of the rights and the interests of the people.

With respect to territorial politics, and to that question, the discussion of which has created so much sensibility in the territories, I mean the introduction of negroes, I must observe that I have never been an advocate of their admission. If I have expressed an opinion on the subject, it has been that it would be a present benefit, and a future evil. Being well assured also that an immense majority of the people are opposed to the measure, I here pledge myself to you, not only to refrain from taking any measures myself to favor their introduction, but to oppose it, should it be brought forward by others. It is easier, fellow citizens, to tell you what I will not do, than what I shall be able to accomplish, because the one is in my power, the other must depend in a great measure upon the will of others. But this far I will be bold to say, that in exertions to serve you, I will yield to no one, and that every faculty of my mind shall be employed to effect the objects which you may think proper to command my attention. Amongst those which claim my first and unremitted efforts are an amelioration of the land laws, so as to procure better terms for purchasers and particularly the taking off the back interest, against which there are so many and just complaints; to procure payment for the horses and other property which was lost upon the late campaign; and to obtain justice in every respect for the gallant troops that served upon that occasion. I am prompted to do this by every motive of justice and feeling. With respect to Territories assuming the State government, my own opinion is, that it should be entered into as soon as the people shall think the members able to support it; however, I shall expect instructions, and these instructions, whatever they may be, coming from the majority of the people or from the Legislature, I shall punctually obey.

With these declarations, I submit myself to your decision, and will only further add that if I shall be so fortunate as to meet with your approbation, my best services shall be devoted to your interest and welfare. I am your fellow citizen,

WALLER TAYLOR.

The people of Indiana had no faith in Taylor's promises, for they remembered his previous attitude. He was defeated in this election, which took place on the first Monday in August, 1812.

November 8, 1816, Taylor was elected United States Senator by the Indiana Legislature. At the opening of the second session of the fourteenth Congress, Taylor appeared in the Senate and took

oath December 12, the day after Indiana was admitted into the Union.⁷ He drew lot to serve until March 3, 1819. He was appointed on the committee on public lands. The next year, Taylor was appointed on the committees on military affairs and on public lands, serving on these two committees until 1821.⁸

December 16, 1818, Taylor was again elected Senator, receiving twenty-one votes. James Scott received fifteen and Isaac Blackford two. From 1821, he served only on the committee on military affairs. During his nine years in the Senate, he never made a speech that was recorded.

Taylor was never married. He died at his old home in Virginia August 26, 1826.⁹

⁷*Annals Fourteenth Congress, 2d Session*, p. 32.

⁸*Annals Fifteenth Congress, 1st Session*, p. 26.

⁹*Congressional Directory*, p. 836.

INDIAN CAPTIVES IN EARLY INDIANA

By LOGAN ESAREY, Ph.D., Indiana University

WHILE making a list of those who have helped to make Indiana a great State, we are liable to pass over too lightly those early pioneers who helped to drive the Indians from the border. We have very little in the way of authentic record of those citizen soldiers who served in the campaigns under Harmar, St. Clair, Wayne, Wilkinson, Scott, Clark and others. Many of them served without pay, having never been regularly enlisted. Their horses were stolen, their cabins burned, and in many cases their families killed or carried into captivity. Many of these soldiers later tried to get remuneration from the government but without much success. While William Hendricks was in Congress he succeeded in having many of the claims of those who served in the campaigns of the War of 1812 paid, but those who took part in the expeditions named, from 1778 to 1796, were never adequately compensated. The politics of the party of Jackson were opposed to creating a class of pensioners. In investigating this field the editor came upon a series of sketches written by Judge William Polke and printed in the *Fort Wayne Times* in 1842. They were also copied in the *Logansport Telegraph*. They are deemed of sufficient historical value and importance to warrant their being made more available. Judge Polke was a mem-

ber of the Constitutional Convention, the superintendent of the Michigan Road during its construction, and for many years preceding his death at Fort Wayne, April 26, 1843, he had been Indian agent at that place. Few pioneers had a more varied experience than he. His years of service among the Indians give his words great weight when he speaks of the baneful influence of the British on the American Indians before the War of 1812. The following constitute for historical purposes the more important portions of these letters:

CAPTAIN CHARLES POLKE

"Mr. Charles Polke, a young man, was among the early adventurers to western Virginia, on the upper branches of the Ohio River; hence we find him in his country's service in 1774, in an expedition against the Indian village on the Scioto, and again with Lord Dunmore in his celebrated campaign in the latter part of the same year.

"During the succeeding winter he married and settled as a farmer near what was then called the Mingo bottom, on the Ohio River, some distance above Wheeling, where he continued to reside with his family during the winter, and improve his farm; in the spring removing them to the neighboring fort, erected by the settlers for the protection of their families, while they cultivated their farms, part performing the labor while another part acted as spies and guards. Having had an improvement made in Kentucky, by which he obtained a preemption claim, in what is now Nelson County, about seven miles east of Bardstown, he sold his farm for continental bills (which depreciated in his hands), and in the spring of 1780 descended the Ohio River with his family, with the intention to settle on and improve his land.

"On landing at Louisville, finding his land so remote, and the removal to it dangerous on account of Indian hostilities, at the invitation of his old friend and comrade, in the days of their boyhood, Colonel William Linn, one of the brave among the western sufferers, he settled at Linn's Station, about twelve miles from Louisville.

"During the summer Mr. Polke was frequently engaged, as was usual, in guarding against surprise, and the pursuit of straggling parties of Indians who infested the settlements, and by that means obtained the confidence of his associates, so that they chose him captain in the campaign which General G. R. Clark waged against the Shawnee towns on the Miami that year, and acted a conspicu-

ous part in the battle of the Pickaway, where the Indians were signally defeated.

"During the succeeding winter he moved to his own land. On his arrival he found it occupied by a small band of immigrants from Virginia who had previously settled there, erected a small fort for the security of their families, and cleared some lands, and had raised a fine crop of Indian corn the preceding year, not knowing that it was a preemption claim. Thus situated, he erected a cabin, and commenced to improve sufficiently near, in case of an alarm, to take protection in the fort; hunting the buffalo for the subsistence of his family, and improving his farm to enable him to raise sufficient for their support the approaching season.

"The early part of the year 1781 passed off without any serious alarm, until near midsummer, when a Mr. Ash, who with a large family of sons had settled a few miles off alone on the frontier, being on a visit with his wife and infant son at Captain Polke's, on their return early in the afternoon, after proceeding about two miles, were met by one of their sons, an active lad of about twelve years of age, who informed his parents that while out at work in their corn-field the Indians had fired upon them, and had either killed or taken all the rest of the family; he being a little distance from them had escaped. The afflicted parents forthwith returned. Captain Polke immediately with his family took shelter in the fort, dispatched a runner to the next fort, about four miles, to give the alarm, and the same evening with a small party started in pursuit, and shortly after dark they arrived at the scene of desolation. They found the eldest son, a young man, and the youngest and only daughter slain. To their surprise the house had not been burnt, and on cautiously approaching it they found the door fastened on the inside. Being apprehensive of an ambuscade, they were about to examine when the voice of a child inquired if it was his father and mother that had come home. On their reply the child opened the door and informed them he was asleep under the bed, wrapped in a buffalo hide to keep off the flies, and that seven or eight Indians came into the house and took off all the things they could carry with them; that when he was first awakened by their noise he was about to tell them his mother would be angry when she came home, but that they looked so ugly he was afraid, and laid still until after they were gone; he then got up and fastened the door to keep them out until his father and mother should come home. The boy was about five years old.

"Having thus learned the probable number of the enemy, the next

morning on pursuing the trail they found they had taken the remainder of the family, five sons, prisoners. With the force they had it was not thought prudent to attempt a pursuit, as it might lead to the massacre of their prisoners. They buried the dead and returned to the fort the same day.

"The remainder of the season passed without any further mischief than straggling parties hovering round the settlements and stealing their horses, which from necessity were permitted to roam through the forests.

"Early in the morning in the beginning of the spring of 1782, four persons left the fort with horses loaded with salt for Harrodsburgh, the next station, about thirty miles distant. Having traveled about five miles, they were attacked by about thirty Indians. Fortunately, but one man was wounded and he not dangerously. But instantly throwing off their loads and mounting their horses, after a wild pursuit, they succeeded in regaining the fort. Expecting an immediate attack, the day and night succeeding was passed in repairing the fort and making such preparation for defense as was in their power. Fortunately, no serious attack was made. After remaining two or three days in the vicinity, stealing horses and killing some cattle, the Indians dispersed in small bands for the purpose of stealing more horses from the neighboring forts. Captain Polke, with a small party, pursued one of these straggling bands, overtook them, killed their leader and recovered part of the stolen horses without loss.

"From this time the remainder of the summer passed off without any serious alarm until August, but the attack upon Bryant's Station on the 15th of that month and the disastrous battle of the Blue Licks on the 19th, spread general consternation throughout the country, as no one could conjecture where the next blow would be struck. About the time of the intelligence of these disasters in what were then termed the lower settlements, in the vicinity of Louisville, a young man hunting buffalo alone, about twenty-five miles from the nearest settlement, discovered on their march in the direction of the forts in the vicinity of Louisville (as he supposed) about one hundred warriors. Not being discovered by the Indians, and being on horseback, he hastened to give the alarm, and in a few hours apprised his friends of their danger. It may be proper here to state that the young man above named still lives (1843) in Shelby County, Kentucky, now upwards of eighty years of age, the highly respected Major Bland W. Ballard, afterward so well known in the Indian

wars, and who performed a conspicuous part in the late war at the celebrated but unfortunate battle of the River Raisin.

"Colonel John Floyd, the officer in command, immediately started an express to give the alarm to the forts in the vicinity of Bardstown, and requesting assistance to meet the enemy, appointing the place of rendezvous nearly midway between the settlements, which were nearly thirty miles apart, on the evening of the next day, the 29th of August, 1782.

"Colonel Isaac Cox, the senior officer in these forts, early on the morning of that day, sent an express to Captain Polke, at the weakest and most frontier station in that direction, and the same afternoon, with what men could be spared from the defense of the fort, he departed for the appointed rendezvous, where he arrived the same evening, about fifteen miles from the fort. The arrangements of Colonel Floyd were most judicious and prudent, as his position was such as to afford assistance to whichever of the settlements might be attacked.

"Early on the morning of the 30th of August, four of Captain Polke's men were directed to return to the fort, for the double purpose of acting as spies and of strengthening the fort, should it be attacked. Two horsemen were selected to take a circuit entirely around the fort, so that they might discover the trail of the invaders should they have taken that course; the other two, being footmen, were directed to take a more direct route. Unfortunately, the horsemen disobeyed their instructions and after traveling a few miles made directly for the fort, where they arrived early in the afternoon, thereby quieting in part the alarm of the inhabitants. It was afterward ascertained that, had they pursued their route as they were directed, they would have discovered the trail of the Indians in time to have advised Captain Floyd, so that he might have reached the fort previous to its attack and capture.

"On a clear and bright morning, the moon shining in her meridian splendor, the 31st of August, 1782, about one hour before the break of day, the first alarm to the unfortunate inmates was the war whoop of the Indians as they assailed the fort from different quarters, and obtained immediate possession by climbing the walls and unroofing the cabins. Descending from the outside, one man defended his house until his wife and one child were killed, when, seizing his other child, a boy about four years old, he made his escape. It was believed that he killed one or two of the Indians; one man, the woman and child were the only persons slain in the capture. Two white

men, four women, and the lad, Ash, who had escaped the previous year when his father's family were taken, made their way in safety to the next station. I will here state that this promising boy grew up, highly esteemed, and at the early age of twenty-two, fell, bravely fighting for his country, at St. Clair's defeat.

"The remaining inmates, about thirty in number, were taken prisoners, and the fort burned. It was known for many years afterward as the 'burnt station.' On the evening of the day of the calamity, Colonel Floyd was advised of the melancholy occurrence; a council was immediately assembled to consult what course would be proper to pursue, and the general opinion was in favor of an immediate pursuit. To this Captain Polke strongly objected, urging that a pursuit would tend to the massacre of all the prisoners, as the Indians would keep scouts in their rear on their retreat, so that a surprise could not be calculated upon; and that as it was, it might be possible for him sometime to recover his family. Known as he was for his determined bravery, perseverance and prudence, and from his amiable and conciliatory course being universally beloved, a pursuit was not attempted.

"The Indians, after taking whatever of the property of the inhabitants they could travel with, set the houses on fire and consumed the remainder, and about daylight retired to their camp. Soon after sunrise they commenced a retreat with their prisoners, in all about thirty, including Mrs. Polke and her four children, the eldest a son (the writer of this) seven years of age, the others daughters, the youngest two years old, and herself in that situation that but faint hopes could be entertained that she could bear the fatigues of a forced march through the wilderness, which the reader will understand when informed that her second son was born at Detroit on the 27th of the ensuing October. On the first day of their captivity circumstances occurred which, though of minor importance, it is believed from what was afterward learned from the Indians, influenced their treatment of Mrs. Polke and her children, and probably was the means of preserving her life, which will be detailed in a manner that may appear tedious and unnecessary. The apology is that it is given as an illustration of the Indian character, to show that even among the untutored savages there are traits of benevolence and humanity that are worthy to be preserved.

"At the first assault on the fort, Mrs. Polke having her two youngest children in the same bed with her, immediately arose and, taking a child under each arm, attempted to wake up her two eldest

children; but before she succeeded the Indians broke into the house, seized her and her two children, hurried her out, and shortly after to their camp, within about half a mile from the fort.

"After daylight in looking over the encampment she discovered all the prisoners taken except her own two children, from which she inferred they had not been discovered in the darkness within the house, and had been left to be consumed, as she saw them set the house on fire before they left the fort, which added much to her affliction that she had not succeeded in awakening them out of their sleep.

"It will here be proper to mention that the Indian chief had arrived in the vicinity of the fort previous to the departure of Captain Polke and his men, and from their hiding places had witnessed his leaving for the purpose of joining Colonel Floyd. One of their first inquiries in the morning after arriving at their encampment was for the chief's squaw and papooses. When pointed out to them they appeared much pleased that they had taken them prisoners, and said the chief would be much disappointed on his return to find his family all taken away from him.

"I have heard Mrs. Polke say she could observe a marked difference in the treatment of her children and that of the others taken. On the second morning they painted her son in Indian style, decorated him with feathers and some Indian trinkets, and called him the young Chief of the Long Knife, the name given the Kentuckians by the Indians of that day. Shortly after sunrise they commenced their march, Mrs. Polke carrying her youngest child, and Mrs. Ash (whose family had been taken the preceding year) carrying hers only a few months old. After traveling a short distance, the Indians took their children from them (for the purpose, as they supposed, of murdering them) and directed them to march, Mrs. Ash observing that if they killed her child she would go no farther with them. They rapidly pursued their journey for about twelve miles, when they halted. In a short time the Indian who had taken Mrs. Polke's child came up with it and handed it to its mother, at the same time her two eldest came up and joined her for the first time since their captivity, which much relieved her anxiety on their account. Mrs. Ash repeated that as they had murdered her child she would go no farther.

"Having crossed no stream of water thus far, Mrs. Polke, from her anxiety, fatigue and thirst, was so exhausted she could scarcely breathe. The Indians had brought with them many watermelons

from the fort, and, while refreshing themselves with them, she held out her hand as a request for a part, to relieve her thirst, which was answered by a general laugh and shout of approbation. Some ten or twelve of them handed her slices, which she divided among the prisoners around her, offering Mrs. Ash a part, saying it would relieve her thirst, which she refused by a shake of the head without speaking. The Indians' countenances immediately changed to anger. They began a conversation among themselves, when one came forward, stripped her of part of her upper garments, and in a few minutes started the prisoners, making signs to Mrs. Ash to take her child, a boy of two years old, and march. After they had proceeded a short distance they distinctly heard the tomahawk strike her head; she uttered a scream simultaneous with their war whoop and all was silent. They continued their march until near sunset, traveling this day about thirty miles before they encamped for the night. The Indian who claimed Mrs. Polke and her youngest child as his prisoners, being of a surly temper, proposed killing her that night, saying she could not travel as far next day as they had wished to go. To this proposal his brother, of a more humane disposition, objected and proposed to defer the council till next evening, and was joined by two or three others, who assigned as a reason why she should be saved the circumstance of the watermelons as related above.

"The next morning the Indian who had first proposed saving her life, in the council in the preceding evening, by signs informed her that in two days they would cross the big water, as they called the Ohio River, where they had horses, and she then should ride. Thus encouraged and stimulated to go as far as she could by a mother's desire to know what would be the fate of her children, the second day passed off as the first, by a rapid march, and contrary to her expectation, she made the journey as the day before. The same Indians who had interceded for her in council the previous evening, again prevailed in suspending the decision until the next evening.

"The third day passed off in the same manner until late in the afternoon, when within a few hundred yards of the Ohio River her foot slipped in a small hole in the ground, and, being unable to extricate herself, she quietly sat down to await her fate, which she believed would be immediate death. Her ill-disposed master, with a slight kick and a surly voice ordered her to march. She shook her head, signifying she could not. He immediately drew his tomahawk from its scabbard and raised it over his head for the purpose of dispatching his victim at a single blow, but his more humane

brother, who was immediately behind him, caught it in his hand as he drew it back, and commenced a conversation in an earnest tone of remonstrance, which Mrs. Polke thought continued two or three minutes, before he let go his hold on the tomahawk, which the other then returned to his scabbard and passed on. Her preserver remained and assisted her to rise and proceed to their bark canoes, in which they had crossed the river in their advances and concealed a short distance up the Kentucky River, above its junction with the Ohio. He assisted her on board and, observing her feet and legs much swelled, took his knife and ripped open her moccasins which they had given her to put on at the commencement of the journey, and which on account of the swelling could not be got off in any other way. On taking them off her toe nails came off with a large portion of the skin on the bottom of her feet, which appeared to excite the sympathy of the Indian in the canoe. He then directed her to bathe her feet, by pouring water on them while crossing. Having crossed over, he assisted her up the bank, and brought her child and blanket to her, then went and brought some oil or rather marrow procured from the bones of the buffaloes which a few Indians who had been left to hunt and take care of the canoes had procured, and directed her to rub her feet well with the marrow. He then handed her a large, soft pair of moccasins to put on, after which he said she could sleep and would be better in the morning. From her pain and sufferings she had but little hopes of living to see the morning light, but to satisfy the kind Indian who appeared to take such interest in preserving her life, she did as he directed. Contrary to her expectations, the remedies applied so far relieved her that, for the first night during her captivity, she slept soundly and next morning was so far relieved, I have many years afterward often heard her declare, that the whole scene of that afternoon and night still appeared to her a most extraordinary and miraculous interposition of divine goodness for her preservation.

"On the same evening the Indians held another council to decide on her fate, believing she could not live to travel to their villages. At this council an elderly Indian who had not before interfered was the first to object, saying she had lived and traveled so far that he believed the great spirit would not permit them to kill her, and if they attempted it he would be angry with them, and they could not prosper. Being joined by others, his advice prevailed, and from that time they gave over all thoughts of killing her under any circumstances. This day being the fourth of their captivity, they traveled

but a few miles before they arrived at a camp where a few old men had remained to hunt during their absence on their war excursion. Here they remained the balance of this day. Here were the horses which had been named to Mrs. Polke as an encouragement to her to pursue her journey. From this point the next morning, being the 4th of September, the Indians separated into small bands for the convenience of hunting for their support on their journey. Mrs. Polke and her two youngest children being attached to one band, and her two eldest belonging to another, they were separated, much to the grief of their afflicted mother.

"The party with Mrs. Polke proceeded to their villages on the Auglaise river, where they arrived on the 10th of September. After remaining four days, they started for Detroit with their prisoners, retaining her youngest daughter, as they informed her, to raise as one of their own squaws, which much increased her grief. At the rapids of the Miami or Roche de Bœuf, as it was called, they rested one day. Here was a trader from Detroit who had been acquainted with Captain Polke previous to the commencement of the Revolutionary War, to whom the Indians related the result of their councils in determining on Mrs. Polke's case, and he informed her thereof and pointed out to her the Indian who so eloquently plead in her behalf at the last council. While waiting here the Indians came up with Mrs. Polke's son, having disposed of her daughter to the Shawnees at one of their villages in the vicinity of Piqua, on the Great Miami, she having been taken sick, and, as they said, they were afraid she would die on the journey and they would get nothing for her. From here they proceeded to Detroit, where they arrived about the 25th of September, and gave up such prisoners as they brought with them to Colonel DePuyster, the commander of the British forces at that point, who treated them with the kindest attention and humanity. In his speech to the Indians he strongly insisted on their bringing in such prisoners as they had retained, naming in particular Mrs. Polke's two children, which they had separated from their mother, and strongly remonstrated against their practice of murdering women and children. Such was Colonel DePuyster's general character for benevolence and humanity that the prisoners compared him to a kind and indulgent parent in his treatment of his children.

"A comfortable house was provided for Mrs. Polke and her two children, in common with a small and excellent family of prisoners (who had been taken by Colonel Bird in his celebrated expedition against Riddle's and Martin's station in Kentucky in the year 1780),

where she lived as comfortable as the nature of the case would permit. But the situation of her two children left with the Indians, her anxiety on their account, and her sufferings and exposure on the journey had much impaired her health, so that fears were entertained for her life. A short time after her arrival, on the 27th of October, as before stated, her second son was born, after which her attention to her infant so engrossed her mind, together with the assurance of Colonel DePuyster, the commander, and Colonel McKee, the superintendent of the Indian department, that they would procure the release of her children from the Indians, she became more reconciled to her situation and her health improved. By industry and economy with the use of her needle she was supplied with provisions by the British government.

"She lived much more comfortable during the winter than could have been anticipated. Early in the spring messengers were dispatched to the Indian country by Colonels DePuyster and McKee, in search of her children and such others of the prisoners as the Indians had retained, and on the first of July she had the pleasure of receiving her children under her own maternal care, where we will leave them in the full enjoyment of their happiness for the present and return to Captain Polke.

"As stated above, no pursuit of the Indians having been attempted, fearing it would lead to a massacre of the prisoners, Captain Polke with a few friends, about ten days afterward, followed on the trail with a view of ascertaining, if practicable, the fate of the prisoners. He found the remains of three children and Mrs. Ash, who were the only prisoners murdered by the Indians after they left the fort. From the decayed teeth he was enabled satisfactorily to ascertain it was not Mrs. Polke who had been murdered.

"General Clark having determined on a campaign against the Shawnee villages on the Great Miami, Captain Polke was among the first to approve the measure and commanded a company in that expedition. The Indians having discovered the advance of General Clark's army a few miles from their villages, they fled without making any resistance, so that but few were either killed or taken prisoners. Detachments were sent in pursuit to destroy the different villages and their corn and vegetables, being the only method whereby they could be made to feel the distresses of war. Captain Polke took an active part in these excursions, in hopes of recovering some of his family, but was disappointed. A few prisoners were taken and their villages destroyed. In one of these excursions Colonel McKee,

the superintendent of the Indian department, narrowly escaped being captured, as he afterward informed Captain Polke when at Detroit after his family.

"On the return of General Clark to his headquarters at Louisville, Kentucky, he was advised there were strong hopes during the winter of peace being confirmed. He immediately dispatched a messenger with a flag, accompanied by one of his Indian prisoners, with a letter to Colonel McKee, proposing an exchange of prisoners, first of all to release Captain Polke's family, afterward such other prisoners as Colonel McKee might select. Captain Polke's family not being under Indian control, he could not comply with General Clark's request. He detained the messenger until he could send the letter by express to Colonel DePuyster, the commander of Detroit, who, on the receipt of the letter, immediately sent for Mrs. Polke and communicated the intelligence received and the contents of General Clark's letter. At the same time he informed her he could not accede to the proposal for her and her family to return through the Indian country, as she was now safe and he could not trust the Indians; that should any accident happen he would be blamed and should himself feel as if he had been accessory to the massacre of her and her children; that he fully believed peace would be restored during the ensuing summer, and that Captain Polke could then safely come for his family; that he would then with pleasure render him the necessary assistance, and advised her to write to her husband and the letter should be sent with his own to General Clark. Mrs. Polke then named a general order that had recently been issued, directing all the prisoners of that fort to prepare to proceed by the first conveyance to Niagara, on their return to their own country, stating that those who remained behind would not be supplied with provisions from the King's stores, and informed him she could not possibly support herself and children by her own labor. He then assured her she need have no fears on that account, as the general order was intended for the idle and dissolute among the prisoners, of which he was sorry to say there were too many, and not to drive off helpless women and children. He again assured her he would send to the Indian country and have her children brought in and given up to her, all of which promises he punctually performed. Mrs. Polke, as advised, wrote to her husband, which conveyed to him the first certain intelligence of the situation of his family.

"Early in the spring Colonel DePuyster was advised of peace and was instructed to restrain Indian hostilities on the frontier settle-

ments, and so far succeeded that they were peaceable during the year. In the summer following the capture of his family, Captain Polke ascended the Ohio River to obtain some assistance from his friends, who had promised him aid in recovering his family. As the safer route to Detroit was through the Indian country, he procured a passport, which was indispensibly necessary, from General Irwin, who then commanded at Pittsburg. In company with Mr. Jonathan Zane, of Wheeling, Virginia, as his guide, they proceeded through the wilderness to Upper Sandusky, to the residence of the celebrated Simon Girty, so well known at this day as the most active partisan leader of the Indians in their wars on the frontier settlements. They were received with friendship by Mr. Girty and treated with Indian hospitality by him for two days while they remained at Sandusky.

"Mr. Zane had been the guide the preceding year to the unfortunate expedition of Colonel Crawford, whose melancholy fate at the time excited so much sympathy throughout the country. After conversing freely with Mr. Zane on the subject, Mr. Girty advised him (as it was generally known among the Indians that he had been the guide to Colonel Crawford) not to proceed any farther, but to return immediately, as in his opinion it would not be safe for him to travel through the Indian country. He promised to send a trusty Indian as a guide with Captain Polke to Detroit, and would be responsible for his safety. On the third morning after their arrival at Sandusky, they separated, Mr. Zane to return home and Captain Polke, in company with his Indian guide, pursued his journey to Detroit. He arrived safely on the 10th day of October, and there he had the satisfaction of meeting all of his family in good health, thirteen months and a few days from the date of their captivity. The humane and benevolent Colonel DePuyster reluctantly consented to grant Captain Polke a passport to return through the Indian country, fearing he might be interrupted by hunting parties of Indians he might encounter on his journey. At the earnest request of Captain Polke, he consented to send a confidential officer as far as Sandusky with a speech to the Wyandotte chiefs, to warn their young men not to molest them while passing through their country. Many other prisoners wished to accompany him on his return but the commander would not permit any to go except the family of Mr. White, who had resided in the same house with Mrs. Polke, three small daughters of a widow who had escaped while her three daughters were taken, and the son of the only man killed at the taking of the fort, whose wife escaped in company with the widow above named, leaving her

three children, who were taken. (The two youngest were murdered after they left the fort.) These children Colonel DePuyster put under Captain Polke's care to convey to their parents, furnishing them with good clothing, and making the present of a horse and saddle to the eldest daughter, about eleven years of age, who had lived in his family and been treated as if one of his own children. On the 15th of October Captain Polke commenced his return journey. At Sandusky he remained two days, waiting for Thomas Girty, a brother of Simon, who was on a visit to his brother, as it was believed his company would add to the safety of the party. As a further precautionary measure, he employed an aged Delaware Indian as a guide, and a younger relation of the old man as a hunter.

"From Sandusky Simon Girty accompanied them a few miles, passing over the late battlefield of the lamented Colonel Crawford. Here he pointed out the different movements of the enemy, saying that had Colonel Crawford continued the pursuit some ten minutes longer at the commencement of the battle, he would have defeated them, as at the time he stopped the advance of his troops, which he did fearing an ambuscade, the Indians were about commencing a general retreat. The writer has a perfect recollection of this conversation, though only eight years of age at the time.

"No particular accident happened in the journey through the wilderness, but the progress was slow and fatiguing, as the children that were of sufficient ability had to walk. Early in November they arrived among Captain Polke's friends, who resided in what is now Brooke County, Virginia, near the Ohio River, and prepared for descending the same. They safely landed at Louisville, Kentucky, on the evening of the 24th day of December, 1783. From thence Captain Polke moved to his late cabin, which, being some distance from the fort, had escaped conflagration. Having by the captivity of his family, expenses in recovering them and the destruction of his property, been reduced to poverty, he had to sell the largest portion of his land for what it would bring to enable him to commence again as a farmer.

"Having received no compensation for his services as captain of the two expeditions under General Clark, and at this time in the West with little expectation of ever receiving it, Captain Polke assigned his claims on the government for twenty dollars' worth of goods at an extravagant price, being all he ever received in a pecuniary point of view for all his sufferings and services for his country. Yet none rejoiced more in her independence or complained less

of the hardships endured. By industry and frugality he lived to raise a large family of children, who with their descendants chiefly reside in the State of Indiana.

"Mrs. Polke died at the birth of her twelfth child in Shelby County, Kentucky, on the 7th of June, 1797. Captain Polke kept his family together until several of his eldest children married and removed to Indiana, where he followed them, living among his children as a patriarch of old, beloved and respected by all his acquaintances, on account of his patience and cheerfulness under all circumstances. He died as he had lived, with Christian resignation and composure, on the 11th of September, 1823, in the seventy-ninth year of his age.

"I have often regretted that more has not been preserved of the early history of the West, and at the request of some friends have been induced to furnish a plain and unvarnished tale of the captivity of my father's family, as a tribute of respect to my reverend parents, and as a drop in the bucket added to the general history of the privations and sufferings of the western pioneers.

THE CAPTIVITY OF STEPHEN ASHBY AND HIS FAMILY

"Stephen Ashby, a farmer in moderate circumstances, was among the early adventurers to the western part of Virginia. Having by industry and economy saved a sum sufficient to purchase a valuable tract of land in what is now Nelson County, Kentucky, he determined to settle upon it, in the early part of the year 1789. In descending the Ohio River with his family, a wife and eight children, the eldest a promising youth of nineteen years of age and the youngest about three months old, they were captured by a band of Pottawatomies, who had infested the river and captured several descending boats. His eldest son refused to surrender after the Indians had possession of the boat, though entreated to do so by his mother, but fought desperately until he fell covered with wounds. One of the Indians then deliberately opened him, took out his heart, broiled it on the coals of the fire, and ate it in the presence of his afflicted parents (as he afterward, by way of apology, informed Mrs. Ashby, on account of his bravery, for the purpose of making himself equally brave).

"On the capture of Mr. Ashby and his family the Indians made arrangements to return to their villages, on the St. Joseph and Elkhart Rivers, in the northern part of this State. Being so remote from any white settlements, they did not closely confine their prisoners, supposing it impracticable for them, in their destitute

situation, to cross the Ohio River and make their way through the wilderness to their friends.

"On the second day after their captivity, they sent Mr. Ashby and his oldest remaining son (a lad of seventeen years of age) to procure timber for packsaddles, preparatory to their return to their villages. While thus engaged, Mrs. Ashby by what she observed among the Indians, was led to believe that they were making arrangements to burn Mr. Ashby before they commenced their journey. This she secretly communicated to her husband and advised him to attempt an escape, to which he objected, preferring as he said, that they should suffer and die together. She replied that she could not endure to see him burned to death, which she was sure they intended to do, and that he might possibly succeed in reaching the settlements and be thereby enabled to relieve such of the family as should survive their sufferings.

"Overcome by the arguments and entreaties of his heroic wife, he reluctantly consented to leave his family in their deplorable situation, and make the almost hopeless attempt to escape. Fortunately, or to use Mr. Ashby's own words, providentially, late in the afternoon they directed him to procure a few more crotches for packsaddles, which are obtained by taking suitable forks from small saplings, and necessarily requiring some time to find such as are suitable for the purpose. The eldest son having been apprised by his mother of his father's intentions, wished to accompany him, to which the father objected, believing the boy could not possibly succeed in swimming the Ohio River, and that it would be only certain death for him to make the attempt. Here again the intercession of the wife and mother prevailed, and silenced the father's objections by a single word, or whisper, as it had to be to avoid detection.

"Then leaving his distressed family, he passed from the camp, appearing to search for the timber they were sent in quest of. As soon as they were out of sight of their enemies, the father and son ran with all speed a short distance down the river, procured from the bank each a couple of dry logs such as they could handle, lashed them together with bark, launched themselves upon the river, and by great exertions safely arrived on the opposite shore just as their pursuers arrived at the shore they had left. They pursued their journey through the night, until from fatigue and hunger and having their clothes nearly torn from their bodies by the bushes and briars, they became so weak and their feet so bruised they were un-

able to travel further, and again had recourse to the means by which they had eluded their pursuers at the outset.

"Thus after floating down the river for two days, they were safely landed at Louisville, Kentucky, on the fourth day after their escape from their enemies, in the most deplorable condition that can be imagined, where they received that attention which such sufferers are entitled to by their friends.

"Mrs. Ashby with her remaining children (the four oldest sons, and the two youngest daughters) were by their enemies taken on to their villages. She having to walk and carry her infant child in her arms, was unable through fatigue and sufferings to give it sufficient nourishment to sustain life, and it expired on the journey. The afflicted mother was only allowed time to scratch away the loose earth, and lower it with her hands and place a few limbs and bushes over its lonely grave, which she declared was the most melancholy scene to her during her whole captivity. Mrs. Ashby and the youngest two of her surviving children were taken to the villages on the St. Joseph River, in the vicinity of the Elkhart; the eldest three to the Illinois River, where they endured their cruel captivity until relieved after the Treaty of Greenville, in 1795, except the eldest son who escaped some two or three years before.

"Mr. Ashby, having escaped from captivity as above related, made unremitting exertions in behalf of his captive and suffering family. In order to procure the means, if possible, to liberate them, he sold his fine tract of land. Being a man of remarkable firmness, perseverance and bravery, he embraced every opportunity to penetrate the Indian country. Hence we find him with Colonel Hamtramck, in his expedition up the Wabash in 1790, and with the mounted expedition to the Wabash in 1791 under General Scott. His son escaped with him in General St. Clair's defeat the same year, in which he received a dangerous wound. He performed several journeys through the wilderness to Vincennes, then the most frontier post, at the risk of his life, and to the headquarters of General Wayne's army, in search of information of his family. He became well known to General Wayne, and his officers, and acquired their good will by his unremitting exertions to obtain his family.

"In one of his visits to headquarters, a Pottawattomie Indian having been recently captured by Captain William Wells, and his party of spies, he obtained permission to visit him in his confinement with an interpreter to make inquiries in respect to his family. The Indian at sight of him became sullen, covered himself with his blanket

and refused to speak, which surprised the officer and interpreter, as on all other occasions he conversed freely. At the treaty of Greenville, Mr. Ashby being present, on the Indian being released, he at once recognized in him the individual who had committed the barbarous act on the lifeless body of his son at the time of the capture of his family. During his stay at the treaty, the Indian always avoided coming in contact with him. After the treaty was concluded, he came on to Fort Wayne to meet his long suffering family. On the arrival of part of his children late in the autumn, he learned that his long absent wife would be brought in in a few days, and that she was then at the Elkhart village. He proceeded alone from Fort Wayne, although at the time it was considered a perilous and dangerous undertaking, and on the second day met her on foot, with a heavy load of their baggage. He without hesitation drew his knife and disencumbered her of the load by cutting the straps which confined it. After some altercation on the part of the Indians, who made some threats, at the earnest request of Mrs. Ashby, he took up the load and conveyed it to the fort himself. Though he has since assured the writer that it was only at the solicitations of his beloved wife that he was prevailed upon to comply with their demands.

"Having thus regained his family, after nearly seven years of suffering, he settled in Shelby County, Kentucky, where by his prudence, economy and industry, he long lived comfortably, beloved and respected by his neighbors. From thence he removed to the southern part of Indiana, where both himself and his venerable partner died a few years past, within a short time of each other, at an advanced age. He had been for the last twenty years of his life a respectable preacher of the gospel, of the Baptist denomination. Such of his children as yet survive reside in Kentucky. What patriot and friend to his country, but will say that such sufferers deserve the gratitude and bounty of their country?"

BOOK REVIEWS

[In this Department publications will be reviewed which deal with the history of Indiana and the Old Northwest, and also books on other phases of history and on political science written by Indiana authors.]

A Medical History of the State of Indiana. By G. W. H. KEMPER, M.D. With an Introduction by ALEMBERT W. BRAYTON, M.D. Illustrated. Chicago: American Medical Association Press, 1911. Pp. xxi, 393.

Like other fields of Indiana history, that of its medical history has remained untouched. Dr. Kemper has made the first attempt even in a meager way to sum up the work done by the medical profession in Indiana. Of the many phases of this work Dr. Kemper has given us an adequate treatment of only one.

In the early days any man, red or white, was allowed by the law to practice medicine. The practice was a strange confusion of science, herb nostrums and Indian sorcery. From this condition the trained physicians from the Eastern schools gradually lifted their profession till the Legislature provided for a licensing board in each medical district of the State. These boards were composed of the best physicians of the district, and, while they had no effective way of preventing one to whom they refused a license from practicing, yet the fact that one had been so refused greatly limited his uselessness. A diploma granted by one of these district boards is reproduced by Dr. Kemper, p. 329.

This first district organization, perhaps the earliest professional body in Indiana, had a powerful effect on the profession in the State. The growth of these organizations into the State Medical Society of 1849 would form an interesting chapter in medical history. Dr. Kemper has published many valuable descriptions of the work done by these early bodies, as remembered by some of the later members and printed in the *Transactions of the Indiana State Medical Society*, Chapters II, III, IV, V, VI, VIII, X, XI, XII, XIII, XIV and XV. From the files of our early newspapers many interesting side lights can be thrown on the subject of those chapters. The life of the early practitioner rivalled in hardships that of the circuit rider. His practice frequently extended over a territory twenty miles square. There were no roads, often not even bridle paths through the forest. Many doctors lost their lives swimming the streams on horseback. A glance at the biographies

in the back of Dr. Kemper's book will show the hazards of the profession in the early days.

Another interesting phase of the medical history of Indiana is that of education. From the first lectures given by Vincennes doctors at the old Vincennes University, down to the present medical school maintained by Indiana University at Indianapolis, is an era of struggle and accomplishment by the leaders of the profession in the State that is worthy of a historian. Dr. Kemper has touched on this field only briefly, noticing the work of Laporte Medical College and the work of Dr. Bobbs at Indianapolis.

A third phase of Indiana medical history is that of prevalent diseases. Of these perhaps cholera would be the most striking. Several old-time physicians have left us good accounts of this disease and its terrors for the early Hoosiers. The newspapers during the '30's and '40's were full of news concerning the periodical ravages of this disease. It seems to have been brought to the State during the early summer by flatboatmen returning from New Orleans, or on steamboats running the Ohio and Mississippi. Naturally the river cities suffered most, but such inland cities as Salem were depopulated.

Almost as deadly as the cholera and more widespread in early Indiana was that strange disease known as milk-sickness. The popular belief was that it was contracted by drinking the milk of cows infected with the disease. It baffled the physicians both in diagnosis and treatment. Early settlers avoided a place afflicted with it as we would a community with bubonic plague.

Most widespread but not so much feared was the ague—the "ager" or "chills" of the good old days when half of Indiana was a swamp and the other half covered with the miasma and bogs. Many people regarded the chills as a joke. They were too often a prelude to the malarial fevers which carried off thousands of early settlers and which are not even yet unknown.

These diseases, together with smallpox, measles and others, once dreaded, have lost their terrors before the continuous warfare of the doctors.

The development of surgery, the restrictions of the law regulating medical practice, the construction of hospitals, the treatment of the insane, the increasing attention given to sanitation and medical inspection of school children are a few of the other phases of this subject whose treatment would be found interesting to many readers.

The volume under consideration is almost entirely biographical. Whatever else there is included in it may be regarded as incidental. The author lists about 750 doctors who have practiced in the State. Their biographies, covering 130 pages all told, vary in length from one line to half a page. This book has a good index.

From a professional standpoint, the great fact in the medical history of Indiana was the organization at Indianapolis in June, 1849, of the State Medical Society. The *Transactions* of this society, issued annually, form the best source for the historian. Dr. Kemper has used these freely. He has also made some use of the different medical journals of the State, but of the general newspapers he has made little or no use. Thirty-five portraits, many of them full page, add value to the book. On the whole, though Dr. Kemper's book by no means exhausts the subject, as a biographical dictionary of the profession in our State, it is very valuable and we hope it may stimulate others to examine further into this field.

Does not the author on page 5 refer to Hon. Charles B. Lassalle where he has the name Charles B. Lusdle? Dr. Key Kendall is the same as Kuykendall, the latter being the usual form, at the bottom of page 18.

L. E.

The Essentials of International Public Law. By AMOS S. HERSHEY, Ph. D., Professor of Political Science and International Law in Indiana University. Macmillan Company, New York, 1912. Pp. xlviii, 558.

The best that can be said of any book is that it fully accomplishes its intended purpose. In a peculiarly fitting sense this may be said of Professor Hershey's book, which is intended "as an up-to-date text adapted to the needs of the classroom," and as a "scientific treatise" for the "specialist as well as the general public."

The first purpose is accomplished by a clear and concise statement of the essentials of international public law. Its up-to-date character is evidenced by brief but valuable chapters on "The Law of Aerial Space in Time of Peace," "Aerial Warfare" and "International Congresses and Conferences." Adequate treatment of the still generally neglected subject of Insurgency (pp. 118, 119) marks this same spirit of alertness. Though not always as readable as might be desired, the text is characterized by the most admirable accuracy, and yet also by a delightful freshness in point of view—made possible by the author's breadth of vision and his clear perception of the (usually unnoticed) intimate relation between inter-

national law and the other social sciences. These characteristics of the man, accentuated by his marked independence of thought, give to his text a value rarely found in so brief a book—a value perhaps greater for the specialist than for the student in the classroom.

The second purpose (possibly really first in importance in the mind of the author), accomplished in part in the body of the text, is more signally achieved in the elaborate mass of more or less extensive notes, which make up apparently more than half the book. These notes will be of the highest value and convenience to the trained scholar, not merely in England and America, but on the continent as well, because in them the author succinctly yet with surprising completeness discusses the more important doubtful or disputed points of international practice, with especial emphasis upon Anglo-American usage. Full and up-to-date references make this material really a review of the "more important of the many recent contributions to International Law contained in monographs and periodicals—continental as well as Anglo-American." Perhaps even more than the text, the notes are enlivened by Professor Hershey's keen analysis of conflicting opinions or precedents, and by his often iconoclastic attacks upon "obsolete" or undesirable portions of present day law or practice—American practice occasionally receiving well-deserved criticism, *e. g.*, § 154, "The Responsibility of States." Yet there are places where one feels that the author's keen sense of what ought to be renders him unfairly intolerant of things as they are, *e. g.*, see his unequivocal denunciation of the Anglo-American doctrine of "Domicile" as "a travesty upon justice supported by legal casuistry" (p. 444, n. 58).

It is a pleasure to find a practically complete general bibliography built on sound principles. This and the full topical bibliographies at the end of each chapter mark a most commendable innovation in English textbooks of this kind. A fairly complete index—Cuba, mentioned frequently in the text, is an example of one omission—adds to the usefulness of the book.

There is no space for the relatively unimportant criticism which might be made of matters of detail, either of phraseology, of presentation or as regards references, which, considering their vast number, are carefully made.

JAMES G. McDONALD.

The Rooster, Its Origin as the Democratic Emblem, is an interesting little booklet by John F. Mitchell, Jr. Joseph Chapman, of Greenfield, was an able and popular speaker and a great favorite on

account of his custom in his political speeches of telling what large Democratic majorities there would be in every county at the next election. This custom his opponents called "crowing." About this time, in 1841, Jacob Page Chapman and his brother, George H. Chapman, founded the *Indiana State Sentinel* at Indianapolis. These editors seized on the catchy phrase, "Crow, Chapman, Crow," as their motto, and printed it regularly at the head of their paper under a large rooster in the act of crowing. The editors of the *Sentinel* were not related to Joseph Chapman, of Greenfield, and had nothing to do with the origin of the emblematic "rooster," but the public knew little of Joseph Chapman and soon associated Chapman's rooster with the editors of the *Sentinel*. The real "crowing" Chapman was killed in the Mexican War. The old tavern which he kept still stands at Greenfield.

Social Progress in Contemporary Europe, by Professor FREDERIC A. OGG, of Simmons College. New York: The Macmillan Company, 1912. A brief survey of some of the more important changes in social and economic conditions brought about in the principal countries of Europe since the outbreak of the French Revolution. Prepared for use as a required book by the Chautauqua Literary and Scientific Circle in 1912-'13, and hence popular in character.

The Governments of Europe, by Professor FREDERIC A. OGG, of Simmons College. New York: The Macmillan Company, 1913. Prepared for textbook use in college classes in government. Contains historical and descriptive treatment of all of the national governmental systems of Europe, excepting those of Russia and the Balkan states. Includes some treatment of political parties and of local administration. More extended notice will appear later.

NOTES AND COMMENT

THE subject of "Indiana History in the Public Schools" is a common one in teachers' circles just now, but its meaning is anything but common to those that use it. Such materials as are found in *Alice of Old Vincennes*, *The Crossing*, *Stories of Indiana* by Thompson, *Historic Indiana* by Levering, or the recent so-called school histories of the State, make good supplementary reading, but should never be confused with serious history.

The field of Indiana history has never been covered by a his-

torian further than to 1816, at which point both Dillon and Dunn stop. While Indiana has a great deal of history valuable in itself, its chief value certainly lies in its relation to the larger history of the nation. There is scarcely an important event in the national field of history but finds its echo or counterpart in the State history. The Bank of the United States should be studied through the State Bank of Indiana. The Erie Canal should be linked with the Wabash and Erie. The Baltimore and Ohio Railroad, one of the very earliest in the United States, was extended across Indiana in the early fifties. The demand for the opening of the Mississippi and the purchase of Louisiana had its origin in the Ohio Valley States. The whole question of Internal Improvements, the keystone of the Whig structure, can be studied in Indiana as well as anywhere in the nation. The most picturesque political campaign in American history was that of 1840. It was nowhere more picturesque than in Indiana—indeed, its most dramatic incident was the famous meeting on the Tippecanoe Battlefield. The mobilization of armies and the scenes of real war can be had in Indiana history during the Civil War. And so one might go on through the fields of politics, education, commerce, religion, finding apt and ample illustration in the records of our own State. It is matter for regret that this material is not available for the teachers.

THE BOBBS-MERRILL COMPANY has recently published a *Life of Thaddeus Stevens*, by Professor James A. Woodburn. A review will appear in the next number of this magazine.

PROFESSOR CHARLES AUGUSTUS TUTTLE, of Wabash College, goes to Wesleyan University, Middletown, Connecticut, next year. As a parting honor, well deserved, Wabash College conferred on him the degree LL. D.

PROFESSOR HARLOW LINDLEY will spend the summer at the State Library, preparing a general plan for indexing and arranging the historical materials in the library so that it can be used more advantageously.

PROFESSOR W. O. LYNCH, of the Indiana State Normal, addressed the History Club of Indiana University Thursday evening, April 10. His address was on the "Economic Factors in the Election of 1840." The speaker discussed in detail the effect of the land laws, especially the demand for gradation of prices, the banks, the National Road, the work on the harbor at Michigan City, and the influence of the

State's Internal Improvement Scheme on the voters. Professor Lynch is making a very valuable study and we hope to be able to publish it in this magazine later.

PROFESSOR A. S. HERSHEY, of Indiana University, has been given leave of absence for the next year and will spend the time traveling and studying. He has been awarded a Kahn Fellowship for the study of International Law. He will first attend The Hague Peace Congress as a delegate, after which he will spend considerable time in the Balkans, India, China and Japan, studying the diplomatic situations in those countries.

A WABASH COLLEGE HISTORICAL SOCIETY was formed during the past college year, under the leadership of Professor Gibson, of the Department of History of that institution. A strong initial membership indicates that Wabash will sustain a good society and that these young students of history will give a good account of themselves. Wabash has a worthy history of its own, and this new society will be a helpful agency in preserving and making known the notable past of Crawfordsville and Wabash. At the first annual meeting of the Wabash Society on June 5, 1913, Professor James A. Woodburn, of the Indiana University, gave an address on "Local Life and Color in the New Purchase." The address dealt chiefly with B. R. Hall's *New Purchase*, and with scenes and life in Indiana a hundred years ago. It is to be hoped that similar societies will be formed at other seats of learning. The field is large and each society would find a line of interest of its own.

DR. J. Z. POWELL, president of the Cass County Historical Society, is writing a history of Cass County. He expects to get it through the press this summer.

THE INDIANA SOCIETY OF CHICAGO has planned the publication of an Indiana Souvenir as a part of its program for the centennial celebration. The late H. L. Saylor had this work in charge and had planned a volume to be written by Dr. Wynn, Dr. Bryan, Dr. Woodburn, George Ade and others. The plan is to have Governor Ralston furnish an introduction, calling attention to the desirability of a celebration. President Bryan will suggest scope and plans for it, while Professor Woodburn is expected to furnish a semi-serious sketch of the one hundred years of State history. Gus Baumann, the wood-cut artist of Brown County, will do the illustrations, as-

sisted in the field of character sketches by McCutcheon. The venture promises to be a success.

THE HISTORY SECTION OF THE INDIANA STATE TEACHERS' ASSOCIATION held its annual meeting May 8, 9 and 10 at Caleb Mills Hall, Indianapolis. The first topic was "Moving Pictures as an Aid in Teaching." Mr. Robert Lieber, the speaker, was enthusiastic in their praise and used films by way of illustration. Ex-Superintendent of Public Instruction Frank L. Jones followed him with a talk entitled, "Is Japan a Great Nation?" admirably illustrated by colored stereopticon slides. "The Industrial Movement in Its Relation to History" was treated in a paper by E. E. Tyner, of Huntington. The great question, as Mr. Tyner saw it, was whether the history teachers could sway this industrial life in the interests of better living, or whether it would dominate us completely. After a short discussion by Dr. Harding, Miss Jennie McMullen took up the subject of "The High School Course in History." Her plan was to shorten the time for ancient and medieval history and put in more time on the modern period, dwelling particularly on economic and civic phases. Frederic C. Melcher, an expert on bookmaking with the W. K. Stewart Company, discussed the mechanical side of textbook making. W. O. Wissler, of Richmond, discussed "The Choice of a Textbook." Rev. Robert N. Fulton discussed the Balkan situation, emphasizing the work of Roberts College at Constantinople. On Friday afternoon Dr. James T. Shotwell, of Columbia University, addressed the section. His remarks are printed elsewhere in this number.

At the Friday evening session the subject of the Centennial Celebration was discussed by Lew O'Bannon, of Corydon, Demarchus C. Brown, State Librarian, and Dr. Frank B. Wynn, of Indianapolis. Resolutions favoring the celebration, and especially the work of gathering and publishing the historical materials of the State's history, were adopted.

Saturday morning O. H. Williams, of Bloomington, spoke on "Some Impressions of History Work from the Students' Point of View." The last address of the meeting was delivered by Professor James A. Woodburn, of Indiana University, on "Indiana History and Its Celebration." This address we hope to publish later in this magazine. Officers for the ensuing year were elected as follows: President—Harlow Lindley, Earlham College; Vice-President—C. W. Haworth, Kokomo; Secretary—Hope W. Graham, Indianapolis.

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INDIANA HISTORY AND ITS CELEBRATION

By JAMES ALBERT WOODBURN, Professor of American History
and Politics, Indiana University

[This paper was read at the annual meeting of the History Section of the State Teachers' Association, at Indianapolis, May 10, 1913. Much of the latter part of it was contributed originally to the memorial volume urging the suitable celebration of the Indiana Centennial in 1916, prepared under the general direction of Dr. Frank B. Wynn.]

I HAVE always admired the piety of the old Quaker woman who once said in meeting that she had "no religion to boast of." The utterance inspires confidence in the possibility of humility, and one is made to feel that the heart from which such an utterance came might really exemplify a religion that was pure and undefiled. Pride in religion would, of course, be an anomaly and a paradox. All self-glorying pride is foolish, and it generally meets what the wise men of old thought was coming to it—a sudden fall and a thud.

That scintillating weekly journal which we know as *Life* has been saying lately some amusing wise things about "State Pride." "Why," it asks, "should any one ever be proud of a little irregular blot on the map that got there without his assistance and will remain there long after he is gathered to his fathers? What is it that makes one proud of his State? Is it the climate? No climate is dependable enough to be pride-worthy. Is it the particular set of officeholders that inhabit a particular State Capitol? Is it the grafting legislators, or the representatives in Washington? Or is it the particularly excellent butchers and grocers and financiers? Or is it the particularly excellent slums, dives, and riff-raff? Who started this State pride business any way? Now that we come to think it over, we seldom hear of it from men who have anything else to be proud of. People who have hustled about and made something of themselves have no pride to waste on a political organization whose main excuse for existence seems to be to collect taxes from hard-working people and hand the money over to easy-living officeholders, who in

turn spend their time hunting up valuable public rights to hand over to private individuals, who thereupon become respectable."¹

Such is *Life*, as it gives vent to its feelings. The passage which I have quoted is suggestive of a few of the darker aspects of almost any State, of ours as well as any other. There are many things in the State of which we have reason rather to be ashamed than proud. It is well to be reminded of these things occasionally, that we may not be too much puffed up, that we may not cultivate an unreasonable conceit of our own superiority, in talents, rank, or merit. Humility is always becoming, and no man and no State can ever be worthily great without it. Self-examination is profitable unto godliness and unto good works. It should be indulged in, not that we should compare ourselves with ourselves or flatter ourselves that we are better than others, but that we may measure ourselves by some worthy standard or ideal, that we may see what we have done that we ought not to have done, and what we ought to have done that has been left undone. This spirit, if it does not beget within us a worthy emulation to redeem the time that is to come and to make some atonement for the past that is beyond recall, will at any rate save us mercifully from a hateful insolence and disdain and contempt for others who are as good as ourselves. To this unbecoming mind an unwise State or sectional pride is likely to lead us, and whenever a State and its people come to that they have reached a stage in which appear sure signs of senility and decay,—a condition in which no one can find any legitimate source of pride for a people. If any one thinks he is showing patriotism for his State by proclaiming a pride that carries with it any such influence and tendency, he reveals a state of mind that is woefully bad and perhaps incurable. We should love our own and try to make the most of it; but to say merely because a State is ours that we should therefore resent all criticism of it and proclaim our pride and satisfaction in it,—in such a disposition neither the statesman nor the patriot citizen can have part or lot.

Patriotism as well as religion means devotion; and it is just as incumbent upon us to say in humility, as did the good Quaker woman of her religion, "We have no patriotism to boast of." Pride and boasting are not what patriotism leads to. It leads to service, sacrifice, achievement. It will lead us to recognize our faults, to see ourselves as others see us; to lead us to see wherein we have fallen short and are falling short of the service and achievement that the

¹*Life*, May 1, 1913, p. 874.

world has a right to expect of us, in view of the opportunities that nature and nature's God have conferred upon us.

But there is another sense in which we may speak of pride as a thing of worth,—of the utmost value to any individual or any people. If it leads us to abhor that which is unworthy; if it leads us to rise above the mean and to emulate the noble; to hold fast to that which is good and to preserve it for posterity; to strive to bring to our State a worthy life and lasting achievement,—if we have the pride that leads us in this direction, it is then a virtue worthy of the highest and most constant emulation. Wherein it leads us to appreciate and admire and to preserve the worthy and noble examples of the past, and to emulate the virtues of those who have achieved good things for us, of those who have labored that we may enter into the fruit of their labor,—if this is our pride it is one of the noblest virtues of the civic spirit. The historical essayist Macaulay has said it well: "A people which takes no pride in the noble achievements of their ancestors will never achieve anything worthy to be remembered with pride by their remote descendants."

I have introduced this little gratuitous homily on State pride and loyalty, preparatory to a plea for the promotion of a greater interest in Indiana history. I believe there is a great deal in the spirit with which the history of the State is to be approached. Livy was a patriotic historian of Rome. To him the chief end and aim of history was to glorify Rome and to exalt her forever. To find out the truth of history and to set it down right, might not properly stimulate Roman pride and patriotism; and therefore Livy was prone to neglect the truth for the sake of Roman honor and glory. As he delved into the record of his country's past life, he found much to reveal in honor, but much also in dishonor. He decided what history should make known and what it should suppress. In the same way does the historian find the good and the bad mingled in the past story of Indiana. There is something to be said as we contemplate this story in favor of preserving for the records of history only the good and allowing the evil that Hoosiers have done to be interred with their bones. But we know that our ancestors were very imperfect beings, that they were men of like passions with ourselves; and we are inclined to think that the true Muse of History desires us to see them just as they were, trusting us to gather lessons from their errors and shortcomings as well as from their achievements of valor and worth. In any case, an intelligent knowledge of the lives that have gone before, of what has been done to make us or to unmake

us, is most likely to promote our own betterment; and my homily may serve again to suggest one of the prime uses of history,—that it is chiefly by taking an interest in the past that we are led into a public spirited interest in our future. Without that interest we shall live only within our little fleeting present of a few score years.

We should urge this interest not because we think Indiana is the greatest State that ever was or ever will be; not because we are proud of all the things that have ever happened within her borders; not merely to glorify the worthy deeds and lives of our own people, or to seek out and uncover the curious and personal and local life that may have been known within these parts. There is a reason better than these. As no man liveth to himself, neither does any generation within the State. The State that deliberately breaks with the past is undone. Continuity of life is the law of civil society. In a very true sense we may think of our State as the heir of the past. Many generations of the past have contributed to our origin and upbuilding, and it behooves us to know how and whence we came, and what have been the agencies, influences, and factors that have contributed to our possessions, our achievements, and to the organized ways in which we live and move and have our civilized being.

I once heard an ardent and enthusiastic advocate of the study of Indiana history loudly proclaim in public audience that it was just as important for our youth, our boys and girls, to be taught the story of the "Massacre of Pigeon Roost" as for them to learn of the battle of Marathon and its historic results. Therefore, instead of requiring of the pupils so much of the time for the study of the struggles and battles of ancient peoples that have been dead and gone for so many centuries—of the Greeks with their wonderful achievements in art, literature, and civilization,—our schools should rather teach more of what concerns ourselves, of what is our very own here in Indiana, that the boys and girls, turning aside from Marathon and Salamis, Cannae or Runnymede, may learn more of "Pigeon Roost," Ouiatenon, and the pioneer struggles with the Delawares and Kickapoos. The professor of Greek who heard this enthusiastic devotee of Indiana history very naturally expressed his dissent at what he considered misguided and one-sided public teaching, and I confess that my sympathies and judgment went with the professor of Greek. All happenings of the past are not of equal importance. The battles of the kites and the crows in the forests are just as important to history as are the unrecorded struggles of unorganized and uncivilized men in the jungles and caves of the earth. I think it is Professor Seeley

who has suggested some such simile. History deals with man as a political being in an organized civil state. The history of Indiana is not a thing separate and apart from the history of civilization; it is not merely local, sectional, particularistic, or personal. It is because it is a part of a great and noble whole, because it is within the stream of time, that we should study it, preserve it, record it, and make it known. Indiana has made some worthy contributions to the history of the West. The people who made these contributions, in deeds well done and long gone by, were not altogether conscious of their importance or of their place in history. If they had had more of the historic spirit and been more deeply conscious of their own political being, they would have left more for history in their laws, their manners, and their accomplishments. In many ways their life has died with their generation, and I presume in their darkness and ignorance has deserved so to die.

But there is much preserved and to be preserved that serves to connect us with the race and with the past. It is our contribution to the common fund. It behooves us to understand it and to hand it down not only unimpaired, but increased and improved. It has been saved to us chiefly by those who have had an intelligent sense of their responsibility; by those who have had some pride of worth; by just such men as our friend Dr. Frank B. Wynn, who made during this last year an heroic effort to induce the Legislature of the State to seize the opportunity of the coming centennial in 1916 to cultivate in a large public way this knowledge and reverence for the past as a means of promoting the glory of the future. This public-spirited civic soldier of the State did not find the full measure of support that he had a right to expect, but we may be sure that his efforts for the suitable celebration of our centennial will not be without effective results.

This celebration of Indiana's centennial, which Dr. Wynn and his committee have been so worthily advocating, should keep in view two aspects in commemoration of Indiana history.

I. It should be the occasion and the means of promoting the study, collection, and preservation of materials for the history of Indiana.

II. It should produce a worthy public celebration and commemoration of the historic past of the State.

The first of these ends will relate to what is of the more permanent and enduring value, the latter to the more immediate, popu-

lar, and spectacular side of the centennial celebration. Let us speak first of the second aspect of the centennial year.

I.

While a material and spectacular celebration of a hundred years of the State's history will be fleeting and will pass away with the jubilee exercises of the year, yet its influence may be abiding for years to come. This aspect of the celebration is of importance, and much care and attention may wisely be devoted to it. It may be made an expression of noble devotion to the State, of a worthy public spirit and a fine patriotism which may beget in the rising generation a deeper love for Indiana and a more intelligent appreciation of her achievements, while to the generation that is passing from the stage of action there may be given much joy and satisfaction in having been a part of a worthy past.

Let us portray in pageantry a hundred years of Indiana history before the people of the State. This can be done by—

(a) A *grand spectacular procession* through the streets of the capital city, illustrating many interesting and varied aspects of our history. We would suggest a visual illustration and a representation by means of floats or a series of tableaux of the following:

I. PIONEER LIFE.

1. An Indian Group. The Wigwam, showing the industry and domestic life of the Indians. The descendants of the Indiana Indians may be obtained.
2. The Life of the Pioneer Trapper and Wood Ranger, the *Courcours de Bois*.
3. La Salle and the Jesuits.
4. The Pioneer Settlements at Ft. Vincennes, Ft. Wayne, and Ouiatenon; the Trading Post.
5. The Scene of the Transfer from the French to the English.
6. George Rogers Clark and the Capture of Vincennes, 1779.
7. Scenes in the Battle of Tippecanoe.
8. The Inauguration of the Territorial Government, 1800.
9. The Council of General Harrison with the Indians.

II. THE PERIOD OF SETTLEMENT.

1. The Early Log Cabin: Half-faced Camp.
2. Early Log Cabin: the Round Log Type.
3. Early Log Cabin: Hewed Log Type, interior view, woman spinning, etc.
4. Making the Constitution under the Corydon Elm.
5. Governor Jennings taking the Oath of Office.
6. Making the New Purchase, 1818.
7. The Founding of Indianapolis.

8. Transfer of the Capital to Indianapolis: How Samuel Merrill transported the Treasury (Ox Team).
9. An Early Church Meeting.
10. The Circuit Rider.
11. An Early Schoolhouse. Scenes from *The Hoosier Schoolmaster*.
12. The Founding of Indiana University.
13. Early Transportation and Travel.
 - (a) The Packhorse.
 - (b) Coaching and Post Days.
 - (c) Flatboat and Canal Boat.
 - (d) The Early Tavern.
 - (e) The "Movers" and Conestoga Wagon. Scenes on the National Road, of which Washington Street was a part.
 - (f) The Early Steam Train.
14. A Political Campaign. "Tippecanoe and Tyler Too." Log Cabin and Hard Cider, and the Coonskin.
15. A Husking Bee and an Apple Peeling.

III. SLAVERY AND THE WAR.

1. The Underground Railway.
2. Lincoln speaking at Indianapolis en route to Washington.
3. Governor Morton offering Troops to Lincoln for the Union.
4. Governor Morton commissioning Union Officers, Lew Wallace, *et al.*
5. Union Soldiers leaving for the Front.
6. The Women at Home in War Times.
7. Arrival of News from the Front.
8. The Boys coming back from the War.
9. Indiana's Record in the Civil War; Roster, Number Enlisted, Dead, Wounded, etc. Tableaux of Arms.

IV. LATER INDUSTRIAL AND MATERIAL DEVELOPMENT.

1. Mining.
2. Agriculture.
3. Manufacturing.
4. Transportation.

V. A SERIES OF TABLEAUX, SETTING FORTH THE LIFE OF THE STATE IN—

1. Literature.
2. Art.
3. Science.
4. Education.
5. Human Welfare.

These are tentative suggestions. Other features will be thought of, and the details and the execution of the spectacle can be wrought out by care and thought on the part of those who are competent and skilled in the art of exhibition.

(b) In addition to the spectacular procession we could have a play, or a series of tableaux in a fixed place with repeated perform-

ances during the centennial celebration. They should be designed to illustrate scenes, incidents, and characters in Indiana life. Men like Mr. McCutcheon could supply a series of popular cartoons to picture to us the past, and no doubt men of the standing of Mr. Meredith Nicholson, Mr. Booth Tarkington, and Mr. George Ade, would lend their literary and dramatic art to promote a suitable memorial celebration in honor of the State. The best mind and talent of Indiana can be brought to the service of such a worthy enterprise. A good basis for such a dramatic presentation might be found in Mr. McKnight's work, *Indiana, A Drama of Progress*.

The pageant and the tableau have now become well known means of arousing civic pride and interest in local history. They are an attractive way of vividly presenting the past and at the same time of presenting a form of popular entertainment in anniversary celebrations. The moving tableaux and the written book together, with characters well represented and the lines well spoken, will bring out pictures in history that may leave lasting impressions in the minds of great masses of people.²

II.

But what we do for Indiana history should not pass with the day or the year of the celebration. The centennial should produce a more abiding result. It must leave us richer in historical materials, in the accessible sources from which the history of the State may be written, and in creditable accounts of that history. The occasion should lead the State to do more for the preservation of materials for her history, and to promote the collection, editing, and publication of materials that will have a value to the State for the centuries to come. The State should make suitable provisions for fostering *An Indiana Historical Survey*,—such as is already begun in Indiana University. The survey should keep in view certain definite ends:

1. The preparation and publication of a complete Bibliography of Indiana history. This should present a list, with a brief description, of every known work,—book, essay, pamphlet, etc.—touching any period or phase of Indiana history, with a citation as to where the work may be found. This should be supplied to every library in the State, so that any citizen of the State who wishes to know may easily learn what books and sources are available in print on the history of the State.

²Illustrations of what has been done in celebrations by the tableau and the pageant may be seen in an article by Mr. Herbert T. Wade, "What the Pageant Does for Local History," in the *Review of Reviews* for September, 1913.

2. There should be an organized and directed effort for the collection, preservation, and publication of Indiana historical materials. There should be a well-sustained agency constantly at work for the attainment of this end. The materials that are being wasted and lost should be saved and collected, placed in the proper libraries for safe-keeping, catalogued and arranged for the use of students and writers. Pamphlets, books, letters, documents, newspaper files, journals of travel, diaries, etc., etc.—all such materials should be saved from being lost or destroyed or carried away from the State. Indiana, from a lack of provision and of proper public concern, has in the past been remiss in this respect. The people of the State should be encouraged to save these materials of their history, and to place them where they can be safeguarded and be made most easily available for use.

3. In the third place, the State should encourage and sustain the publication of a series of monographs on Indiana history. Such monographs might not be profitable in the book-trade, though they may be of the highest value. They should show the result of a careful and scientific study of our history. They can be undertaken and worthily produced only by men or women who have been suitably trained for such work. Their real value will be in exact proportion as they are the products of serious, scholarly, painstaking, and scientific study. The centennial year will likely bring forth for sale to the public a batch of mushroom writings called histories of Indiana. They will generally be the products of a few months or of a single season of hurried work, based on inadequate materials, and generally by persons who have few qualifications for writing history. Such publications will add nothing to our real knowledge of the history of the State. Their prime purpose will be to make money for their publishers and authors. They will be carelessly prepared, erroneous, and misleading, dealing with misleading and fanciful stories and exaggerated myths. To counteract such misinformed and misinforming work, it seems eminently desirable that the State should undertake the publication of a series of historical collections, comparable to those of Massachusetts, New York, Michigan, etc., and such as Illinois is now carrying out in such a notable way.

The interest of every community should be aroused and to this end we believe that county and local historical societies should be encouraged and increased in every possible way.

The school forces of the State should be utilized, and this Section of the State Teachers' Association, devoted to the study and teaching

of history, should lend every possible aid in developing popular interest in local history. Every added man or woman in any community who becomes interested in the past life of his or her locality will prove a helpful factor in the more effective work of the teacher of history and civics. Effective teaching comes from effective living, and the teacher of history in a community awake to the values of its past will find his work the more enlivened and fruitful. Let the teacher of history be a leader in this cause. His advanced pupils may become his companions and his aids in the worthy work, and it will not require many devoted disciples of so good a cause, if they work hand-in-hand, to bring to a community a most productive society.

There is an organ that will enable all these forces to work together for a common end. I refer to the INDIANA MAGAZINE OF HISTORY. It may serve as an organ of service and expression. Through it may be brought to light the discoveries that are made in any part of the State, and the papers that may be written. Its issues may be the means of bringing to hundreds of citizens who are already interested in the history of the State matters that will seem to them of importance if not of vital concern, while the indifferent may be aroused to a curiosity that may bear fruit in the future. Its files will help to preserve the history of the State, and will afford workable mines for future writers and historians. For every reason this INDIANA MAGAZINE OF HISTORY should be fostered and sustained, its circulation increased, and its messages received and heeded in every city, county, and village in the State. The teachers of history will receive help from it, and after providing a file for their own tables, they should strive to see to it that a copy of it is placed in every school library in Indiana. In this way the teachers of history who may be or may not be members of the State Teachers' Association, may very effectively help to promote the cause of "Indiana History and Its Celebration."

THE RATIFICATION OF THE FIFTEENTH AMENDMENT IN INDIANA

By WILLIAM CHRISTIAN GERICHs, A.M., Waynetown

[The writer of this paper has written mainly from the original sources a detailed account of the ratification of the Fifteenth Amendment in Indiana. In searching for material on this subject he has found the files of the *Indianapolis Journal* in the University Library and the State Library, and the *Indianapolis Sentinel*, found in the same libraries, of much value. The *Brevier Reports*, the *Senate* and *House Journals* also proved very valuable. Not all the questions that came up in connection with this work have been satisfactorily answered. In some few cases it was found impossible to make all the figures given in the sources work in harmony. Yet the main figures as given in this paper may be relied upon. There may also be some difference of opinion in regard to the question of the constitutionality of the ratification. Viewing the whole question in the light of the past and the present, the writer is of the opinion that as far as the letter of the law is concerned—and law is usually interpreted in this way—the Amendment was not passed. The writer received much valuable assistance, for which he is truly grateful, from Dr. James A. Woodburn, Dr. E. V. Shockley, and Dr. Logan Esarey.]

I. ATTITUDE OF INDIANA MEMBERS OF CONGRESS TOWARDS THE FIFTEENTH AMENDMENT

One of the main questions before Congress during the latter part of the Civil War and the Reconstruction period was how to secure adequate civil and political rights for the freedmen. Charles Sumner, at the close of the war, favored the enfranchising of the negroes and the disfranchising of all persons of the South who had taken part in the rebellion.¹ It was proposed in Congress to exclude southern representatives until their States should allow negro suffrage.²

Oliver P. Morton, then Governor of Indiana, did not think it advisable to adopt this policy. His attitude on that question is plainly set forth in a speech delivered at Richmond, Indiana, September 29, 1865.³ I shall briefly review that speech, to give the reader a clear idea of his views at that time. In regard to the question of allowing the freedmen of the Southern States to vote, Mr. Morton said: "While I admit the equal rights of all men, and acknowledge that in time all men will have the right to vote without distinction of color

¹Charles Sumner, *Works*, X, pp. 21 ff.

²*Indianapolis Journal*, Oct. 2, 1865, p. 5.

³*Ibid.*

or race, I yet believe that in the case of four million slaves just freed from bondage, there should be a period of probation and preparation before they are brought to the exercise of political power."⁴ He claimed that to say that those men were qualified to vote would be proslavery argument, "paying the highest compliment to the institution of slavery."⁵

Mr. Morton gave as another reason for not wanting to admit the negro to power, that it would be inconsistent for Indiana to say that the negro must vote in the South, when under her own Constitution then in force he was much discriminated against.⁶ Mr. Morton said further, that if the negro were enfranchised and the South should send negro Senators and Representatives to Congress, "I have no doubt you will find men in the North who will be willing to sit beside them, and will not think themselves degraded by doing so. I have nothing to say to this. I am simply discussing the political effect of this."⁷ He also believed that if negro governments were set up in the South, white immigration from Europe and the North would stop, and an "exodus" of southern whites would begin.

The question of negro suffrage, according to Mr. Morton's opinion, might be solved by giving the negro political rights after "ten, fifteen, or twenty" years. By that time, he believed, they would be in the minority in the South, owing to immigration from the North and from Europe. Since the negro could gain in population only by natural increase, he felt certain that the white population would soon be in the majority in every State of the South. In this Richmond speech, Mr. Morton proposed reducing the representation in Congress in proportion to the number of adult males not having the right of suffrage. This, he believed, would induce the South to enfranchise the negro to increase its representation.⁸

In less than two years after Governor Morton had delivered his Richmond speech, his views in regard to negro suffrage had changed. This was after the South had rejected the Fourteenth Amendment.⁹

⁴*Indianapolis Journal*, Oct. 2, 1865.

⁵*Ibid.*

⁶Indiana's second Constitution, ratified in 1851, reads (Art. XIII, sec. 1): "No negro or mulatto shall come into or settle in the State, after the adoption of this Constitution." Section 2 of the same article says: "All contracts made with any negro or mulatto coming into the State, contrary to the provisions of the foregoing section, shall be void; and any person who shall employ such negro or mulatto, or otherwise encourage him to remain in the State, shall be fined in any sum not less than ten dollars, nor more than five hundred dollars."

⁷*Indianapolis Journal*, Oct. 2, 1865, p. 5.

⁸*Indianapolis Journal*, Oct. 2, 1865, p. 5.

⁹"Before the first day of January, 1867, all of these [Southern States] except three had rejected it, * * * and these three followed the same course a little later." Burgess, *Reconstruction and the Constitution*, p. 106.

His opinion at that time is expressed in his message of January 11, 1867, to the General Assembly of Indiana. He said in part: "Ordinarily, when the country is in a normal condition, the subject of suffrage is absolutely within the control of the several States. . . . But if a State government shall fall into anarchy, or be destroyed by rebellion, and it is found clearly and unmistakably that a new one cannot be enacted and successfully maintained without conferring the right of suffrage on a race or body of men to whom it has been denied by the laws of the State, it would clearly be within the power of Congress to confer the right for that purpose, upon the principle that it can employ the means necessary to the performance of a required duty. . . . The power which I claim for Congress is vast and dangerous, and should be exercised with deliberation, and only in case of clear necessity, as it trenches directly upon the general theory and structure of the government, yet it unquestionably exists."¹⁰ It would not be safe to say from this message that Mr. Morton was enthusiastically in favor of enfranchising the negro, but we may safely say that he considered such action on the part of Congress a possible solution.

When later Mr. Morton was one of the main advocates of negro suffrage, he was in advance of the rank and file of the Republican party. The party view on this question in 1868 is expressed in the Republican national platform of that year. Section two of that platform reads: "The guarantee by Congress of equal suffrage to all loyal men of the South was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage of all loyal States properly belongs to the people of those loyal States."¹¹ When the Fifteenth Amendment was being discussed in Congress, Senator Thomas A. Hendricks accused Mr. Morton (then Senator) of inconsistency on the question of suffrage.¹² At a previous time both Senator Hendricks and Senator Dixon of Connecticut had said that, according to the Chicago platform, the Republican party could take no action on the question of negro suffrage, since it had committed itself to the doctrine that in the loyal States suffrage should be left to the States. Mr. Morton had answered this by saying that the resolution merely stated the constitutional position of the party, as the Constitution then stood; but it certainly did not mean to say that at no time would the party propose to change it on that subject.¹³

¹⁰*House Journal*, 1867, p. 50 (Jan. 11).

¹¹*Globe*, 3d Session, 40th Congress, p. 673.

¹²*Ibid.*, p. 1314.

¹³*Ibid.*, p. 861.

Mr. Morton took an active part in the debates on the Fifteenth Amendment. He favored it because he felt that negro suffrage was necessary for establishing loyal Republican government in the South, and because, as he believed, it would afford adequate protection for the negroes. This latter reason is brought out in his speech in the Senate on February 8, 1869. "It is admitted," he said, "by all these Senators [Hendricks of Indiana, Davis of Kentucky, and Salisbury of Delaware] at the same time that the negro is a kindly race; it is not a savage race; and it is a Christian race in this country, as much as the white race; but they say that they are of inferior intellect, not capable of the same development and progress as the white race. Suppose we grant all this; I ask if it is not a reason why these men should have the ballot put into their hands by which they may protect and take care of themselves? The weak require to be furnished with the means of protection. In this country there is no protection for civil and political rights outside of the ballot."¹⁴

Mr. Hendricks, on the other hand, opposed the amendment. He believed, as stated above, that the Republican party was pledged to leave the question of suffrage to the loyal States. He gave another reason for opposing it that he was "in favor of men voting in this country who belong to the white race and conduct themselves properly."¹⁵ A third reason for opposing it was that the party in the majority was favoring the enfranchising of the negro for political gain. On February 17, while speaking on the suffrage amendment, he said: "You care for your own purposes. What are they? To throw a political power in favor of your party that you do not now possess, to secure a vote that the people will not give you."¹⁶

It appears that Mr. Hendricks felt, probably as soon as the Fifteenth Amendment was introduced, that it would pass in spite of the united opposition of the Democrats in Congress. In a speech in the Senate on January 28,¹⁷ he said that the amendment, if proposed, ought to be ratified by the most democratic way under the present Constitution and laws. Since universal suffrage was not a question at the time the present legislatures were elected, ratification ought to be postponed till the next legislatures, when the people would have had a chance to express themselves. He was not

¹⁴*Ibid.*, p. 990.

¹⁵*Ibid.*, p. 990.

¹⁶*Ibid.*, p. 1314.

¹⁷*Ibid.*, p. 673.

sure that Congress had the right to place this restriction on the State legislatures. By February 17, he believed that Congress did have the right to make such a restriction. The amendment was then before the Senate in the following form: "The right of the citizens of the United States to vote and hold office shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."¹⁸ To this Mr. Hendricks offered the following amendment: "That the foregoing amendment shall be submitted for ratification to the legislatures of the several States, the most numerous branch of which shall be chosen next after the passage of the resolution."¹⁹ An amendment to the effect that both branches of the legislature were to be elected after the passage of the resolution had been voted down at a previous time.²⁰ Mr. Hendricks's motion was voted down by a vote of 40 to 12. Had this amendment been accepted Indiana history in relation to the amendment would probably be different from what it is.

The amendment in the form given above was not all that Mr. Morton wanted. He said that he would vote for it if none better could be had. His reason for dissatisfaction with it was that negroes were saved from denial of the right to vote or hold office on only three grounds—"race, color, or previous condition of servitude"—, but might be denied these on any other grounds.²¹ This would permit the States to require educational or property qualifications; or they might even exclude the negro on the ground of "being naturally inferior in point of intellect and disqualified to take part in the administration of government."²² Subsequent events have abundantly justified these fears. Mr. Morton believed that the amendment ought to be so drawn up as to make such action impossible, and make suffrage uniform in all the States.²³

Five days later, February 9, Senator Morton introduced a resolution to amend the Constitution so as to give Congress the power to prescribe the manner of choosing the presidential electors. This would take that power away from the State legislatures. The first vote on this amendment was 27 yeas, 29 nays. The amendment was

¹⁸*Globe*, 3d Session, 40th Congress, p. 1311. This is the form in which the amendment finally passed. The clause: "Congress shall have the power to enforce this article by appropriate legislation" also belongs to the finished enactment.

¹⁹*Globe*, 3d Session, 40th Congress, p. 1311.

²⁰*Ibid.*, p. 1311.

²¹*Ibid.*, p. 863 (Feb. 4, 1869).

²²*Ibid.*

²³*Ibid.*

renewed on the same day, and passed by a vote of 37 to 19; but it was voted down in the House.

It was a hard matter for the two houses of Congress to agree on the form of the Fifteenth Amendment. A conference committee was called into being to smooth over the main points of difference. As recommended by that committee, it was not what many of its supporters believed it should be; but they wanted an amendment giving the right of suffrage to the negro passed before the close of the session, and had to take what they could get. On February 17 Mr. Morton said in the Senate: "Every day that is now lost in passing this amendment through Congress endangers its adoption by the States. . . . I hope therefore that no other measure will be allowed to be considered until the constitutional amendment is disposed of."²⁴

While Senator Morton was anxious to hurry the amendment through Congress before the end of the session, Senator Hendricks was just as anxious to keep it from passing. He felt that much might be gained and nothing lost by delay. He believed that two-thirds of the newly-elected House would not favor such an amendment, after their constituents had had no opportunity to express their sentiments on that subject.²⁵

The vote on the report of the Conference Committee was taken in the House on February 25. It resulted in 144 yeas, 44 nays, and not voting 35.²⁶ The vote in the Senate on the following day showed yeas 39, nays 13, absent 14.²⁷ The Speaker of the House signed the proposed amendment on February 26.

²⁴*Globe*, 3d Session, 40th Congress, pp. 1631-3 (Feb. 26, 1869).

²⁵*Ibid.*, p. 1563.

²⁶*Ibid.*, p. 1641.

²⁷*Ibid.*, p. 1641. Indiana was represented in the Senate by Thomas A. Hendricks (Dem.) and Oliver P. Morton (Rep.). In the House she was represented by the following Democrats: W. S. Holman (Aurora), Michael C. Kerr (New Albany), William E. Niblack (Vincennes); and the following Republicans: John Coburn (Indianapolis), Schuyler Colfax (South Bend), Morton C. Hunter (Bloomington), George W. Julian (Centreville), Godlove S. Orth (Lafayette), John P. C. Shanks (Jay County), Henry D. Washburn (Clinton), and William Williams (Warsaw). I have practically confined myself to the attitude of the two Senators. This is because they may be considered the leaders of their respective parties. Senator Morton, elected to the Senate in January, 1867, was somewhat in advance of the ideas of the majority of his party, while Senator Hendricks voiced the sentiment of the vast majority of the Democrats of Indiana. I have said nothing about the part the members of the House took on this question for the reason that they took little part in the discussion, and when they did it was along party lines. George W. Julian made known his views on the negro question in general by his resolution to the Judiciary Committee demanding an inquiry regarding the report that slavery still existed in Kentucky. His remarks show that he was ready to insist on what he considered the negro's rights

II. THE FIFTEENTH AMENDMENT BEFORE THE REGULAR SESSION OF THE GENERAL ASSEMBLY OF INDIANA, 1869

Before taking up the proceedings over the Fifteenth Amendment, I shall consider briefly the Thirteenth and Fourteenth Amendments in the General Assembly of Indiana. This may give the reader a better understanding of the action on the Fifteenth Amendment.

Governor Morton, on February 6, 1865, sent the Thirteenth Amendment to the Senate;²⁸ on the following day he sent it to the House.²⁹ It passed the Senate on February 10, by a vote of 26 to 22;³⁰ the House, on February 13, by a vote of 56 to 29.³¹

Paris C. Dunning in the Senate claimed there had been a little program to break up that body and thus prevent the passage of the amendment.³² This assertion may have been based partly on the absence, according to the *Brevier Reports*, of a number of Democrats. Mr. Bennett claimed there was fair evidence that the Democrats intended to bolt.³³

The Fourteenth Amendment³⁴ was taken up by the Senate of the General Assembly of Indiana on January 11, 1867,³⁵ and passed by that body on January 16, by a vote of 29 to 18.³⁶ It was reconsidered on January 18, and passed a second time by a vote of 30 to 16.³⁷

(*Globe*, 3d Session, 40th Congress, p. 286; January 11, 1869). Michael Kerr called the bill granting suffrage to the negro, a scheme to retain the power for the Republican party. He opposed that bill. (*Globe*, 3d Session, 40th Congress, p. 653 ff.) John P. C. Shanks expressed himself as being in favor of the suffrage amendment. (*Globe*, 3d Session, 40th Congress, p. 692.) At various times W. E. Niblack let it be known that he was opposed to negro suffrage. (*Globe*, 3d Session, 40th Congress, pp. 557, 742, 744, 745.) On the report of the Conference Committee—the Fifteenth Amendment in its final form—the Indiana representatives both in the House and the Senate divided according to party. All the Republicans voted for it, all the Democrats against it. (*Globe*, 3d Session, 40th Congress, pp. 1563 and 1641.)

²⁸*Senate Journal*, 1869, p. 265. Its provisions, it will be recalled, are as follows: "Sec. 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have duly been convicted, shall exist within the United States or any place subject to their jurisdiction. Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

²⁹*House Journal*, 1869, p. 323.

³⁰*Brevier Reports*, VII, p. 201. The vote as first taken was 26 to 9, to which 13 nays were added later. *Senate Journal*, p. 315, says the vote was 26 to 24. In either case the amendment passed the Senate legally.

³¹*House Journal*, p. 396; *Brevier Reports*, VII, p. 238.

³²*Brevier Reports*, VII, p. 202.

³³*Brevier Reports*, VII, p. 202.

³⁴It is too long to quote here. It is usually spoken of as the amendment granting citizenship to the negro.

³⁵*Senate Journal*, p. 46.

³⁶*Senate Journal*, p. 79; *Brevier Reports*, IX, p. 46.

³⁷*Senate Journal*, p. 96; *Brevier Reports*, IX, p. 56, gives the vote as 29 to 16.

It passed the House on January 23, by a vote of 56 to 36.³⁸ There was no mention, so far as I can find, of an attempted bolt or revolutionary act to defeat this amendment. There certainly was no question about the legality of the ratification of the Thirteenth and Fourteenth Amendments by the General Assembly of Indiana.

On March 1, 1869, Governor Baker sent the following message to both houses of the General Assembly of Indiana: "*Gentlemen of the Senate and House of Representatives:* I herewith respectfully submit to the General Assembly a joint resolution of the Congress of the United States, on the subject of suffrage, comprising two sections and designated as Article XV. The original copy of said joint resolution received by me is transmitted with this resolution to the House of Representatives, and a transcript thereof to the Senate."³⁹ On motion of James Hughes, of Monroe county, this message was made the special order for March 4, at 2:30 p.m.

Whether or not the Democratic members had agreed on a method of procedure is doubtful. It does seem that two days later (March 3) some sort of a plan must have been formulated and understood, in part at least, by both Democrats and Republicans. On this day George A. Buskirk, of Monroe, moved that the Governor's message be made the special order for the next day (Thursday, March 4) at 2 o'clock p.m. James D. Williams, of Knox, moved to amend that motion by proposing to make the resolution relating to the suffrage amendment the special order for Saturday (March 6).⁴⁰ He said he offered this because the suffrage amendment was a "firebrand" and might interrupt necessary legislation yet to be enacted. He said further that the minority were willing to assist in passing all necessary legislation, but hoped that no such "firebrand" would be thrown into the House and thus retard legislation or defeat it altogether.

Mr. Buskirk answered Mr. Williams by saying that the matter called a "firebrand" was only a constitutional amendment that demanded attention at an early date. He said that it had been postponed so that important legislation might be passed, but that the majority was now determined to take up the matter to-morrow (Thursday, March 4); and that they were willing to let the responsibility fall on the minority if the action should fail by any "irregular or revolutionary course."⁴¹

³⁸*House Journal*, p. —; *Brevier Reports*, IX, p. 90, gives the vote as 55 to 36.

³⁹*House Journal*, Regular Session, 1869, p. 884.

⁴⁰*Brevier Reports*, X, p. 589; *Indianapolis Sentinel*, March 6, 1869.

⁴¹*Brevier Reports*, X, p. 589.

Mr. Coffroth said much necessary legislation was still to be enacted. In his opinion the suffrage amendment ought not to be taken up before the people of Indiana had had a chance to express their opinion on it. In the last campaign both parties had denied any intention of fastening negro suffrage on the people; to adopt it now would be a "fraud upon the people." He asserted that the minority would resist its passage by proper means, and be prepared to take the responsibility that might follow such a course.⁴²

Mr. Williams's amendment failed by a vote of 41 to 53. Mr. Buskirk's motion to make the resolution the special order of the day for 2 p.m., Thursday, March 4, was accepted.⁴³

On the following day (March 4) the *Indianapolis Journal* printed an editorial on the "Democratic Bolt." According to this editorial it was rumored that the Democrats of both Houses had caucused until 12 o'clock the night before, and had decided to "stave off" action on the constitutional amendment. It adds: "If they do, that will close up legislation for the present term with the most important work yet to be done."⁴⁴

The rumor must have been well founded, for on the same day that this article appeared seventeen Senators and thirty-seven Representatives, all Democrats, resigned.⁴⁵ On the same day, and in the same message in which Governor Baker notified the House of this resignation, he stated that writs were being prepared for a special election to be held on March 23.⁴⁶ Three Democratic Senators and six Democratic Representatives did not resign.⁴⁷ They themselves claimed they had been asked by their colleagues to remain and guard the interests of their party.⁴⁸ The opposition claimed they had not resigned because they had a wholesome fear they could not be reelected.⁴⁹ They claimed that none resigned who did not believe he had a safe chance of reelection.⁵⁰

⁴²*Ibid.*, p. 590.

⁴³*Ibid.*, X, p. 590.

⁴⁴*Indianapolis Journal*, March 4, 1869, p. 8, col. 2.

⁴⁵*House Journal*, Reg. Ses., 1869, p. 893; *New York Times*, March 11, 1869. One more Democrat, Mr. Ghormley, of New Albany, resigned on the following day, making 38 Representatives in all. (*New Albany Daily Ledger*, March 8, 1869, p. 1, col. 5.) Foulke's *Life of Morton*, II, p. 112, says that 41 Representatives resigned. This cannot be correct.

⁴⁶*House Journal*, Regular Session, p. 893; *Indianapolis Journal*, March 5, 1869.

⁴⁷*Indianapolis Daily Sentinel*, March 5, 1869, p. 2, says "seven" of the House did not resign; but since Mr. Ghormley resigned on that very day, I say "six."

⁴⁸*Indianapolis Daily Sentinel*, March 5, 1869, p. 2, col. 1.

⁴⁹*Indianapolis Journal*, March 5, 1869, p. 4, col. 4. Mr. Coffroth had been elected by a majority of seven votes. *Brevier Reports*, X, p. 593.

⁵⁰*Indianapolis Journal*, March 5, 1869, p. 4, col. 4. This same article says

As far as can be ascertained from contemporary newspapers, there were only two opinions concerning the resignation of these Senators and Representatives. Democrats applauded the act, while Republicans spoke of it in terms that cannot be called complimentary. One Indianapolis paper⁵¹ claimed that Indiana had a double cause to rejoice on March 4; because of the exit of Andrew Johnson, and because of the resignation of the Democratic legislators. It added that "never was a State cursed with such a gang of scoundrels." It printed the names of the Senators and Representatives who resigned under the caption, "Roll of Infamy."

Another Indianapolis paper,⁵² under the title of "Democratic Folly," said that Democracy would go before the people with a bad cause, for they conspired to defeat legislation. It would have been a better plan, so it claimed, to have permitted the majority to pass the amendment, since it was sure to pass sooner or later.

The *Indiana Radical*⁵³ severely criticised the action of the minority. It claimed that the heavy expense growing out of their resignation was due to the action of the Democrats. At the time of resignation the legislature had passed no appropriations except those for the current expenses of the legislature. Those who resigned drew full pay up to the night of March 3, and a full allowance of stationery and stamps.⁵⁴ This same paper reported that one of those departing solons traded postage stamps for a plow.⁵⁵ The *Evening Mirror* treated the failure of the General Assembly to pass general appropriations in a humorous way, by saying that such failure had embarrassed the papers as well as the people. "We can stand it," says the *Mirror*, "but it will go hard with the *Sentinel* and the *Journal*."⁵⁶

that the "bolters" also made a safe thing of their full pay, as far as possible, before they resigned. They are also accused, perhaps not unjustly, of carrying off large quantities of postage stamps.

⁵¹*Daily Evening Commercial* (Rep.), March 4, 1869, p. 1, col. 4.

⁵²*Daily Evening Mirror* (Indep. Rep.), March 4, 1869, p. 2, col. 1.

⁵³*Indiana Radical*, Richmond, Indiana (Rep.), March 11, '69, p. 1, col. 8.

⁵⁴"They clutched per diem and mileage and cribbed fifty dollars' worth of postage stamps and stationery each." (*Indianapolis Journal*, March 6, 1869, p. 4, col. 2.)

⁵⁵"One of the conscientious bolters yesterday 'turned an honest penny' by exchanging \$18 worth of postage stamps, paid for by the money of the State, for a couple of plows. Here is a fine example of a retired statesman imitating the high Roman fashion of Cincinnatus." *Indianapolis Journal*, March 5, 1869, p. 4, col. 1.) The *Evening Mirror* (March 5, 1869, p. 2, col. 1) says that Democrats and Republicans alike have been trading postage stamps for "boots, whiskey, and other refreshments."

⁵⁶*Indianapolis Journal*, March 5, 1869, p. 4, col. 1.

The *Taeglicher Telegraph*⁵⁷ agreed with the papers cited in condemning the action of the Democrats. It called their action "small or even childish." Its editor asserted: "Had they [Democrats] informed the Republicans of their intention to resign on account of the constitutional amendment, they [Republicans] would certainly, for the welfare of our State, have refrained from considering it at that time." The facts of the case would hardly support this patriotic view.

The leading counsel for the defense in this case is the Indianapolis *Sentinel*.⁵⁸ It approves of the action of the Democrats because of the unyielding attitude of the majority. Both parties had pledged themselves, so it claims, in the last campaign to leave the question of suffrage to the States. Congress had not lived up to this pledge, and the majority of the members of the General Assembly were pledged to vote for it, so the only alternative left to the minority was to resign, which they did. The same editorial claims that if Mr. Williams's amendment to postpone consideration of the amendment until Saturday (March 6) had been accepted, all legislation could have passed, and the cost of an extra election and extra session would not have been necessary. This extra cost, the *Sentinel* claims, was plainly due to the action of the majority. The editor, on another page of this same paper, agrees with the *Journal* that the Democrats resigned to prevent the adoption of universal suffrage; that they defeated the well-laid plans of the majority "by the only certain remedy left them—the resignation of their seats."

The New Albany *Daily Ledger* comments on the cost of an extra session in these words: "It is evident that Governor Baker was determined to put the people of the Democratic counties to this extra expense, for despicable party purposes, and as a punishment for the refusal of their Senators and Representatives to sanction his favorite doctrine of negro suffrage."⁵⁹

Indiana Democrats in Washington sent the following telegram to their friends at home.⁶⁰ "*To the People of Indiana:* It is the highest right of the people to vote upon every proposition to change the Constitution or to revolutionize their domestic policy. The question of suffrage has never heretofore been submitted to the people of Indiana. The resignation of the Democratic members of the legislature, in order to give the people a chance to determine this great

⁵⁷*Taeglicher Telegraph* (Rep.), March 4, 1869, p. 1, col. 2.

⁵⁸Indianapolis *Sentinel* (Dem.), March 6, 1869, p. 1, col. 1.

⁵⁹New Albany *Daily Ledger* (Dem.), March 10, 1869, p. 1, col. 4.

⁶⁰Indianapolis *Sentinel*, March 6, 1869, p. 2, col. 1.

question at the ballot-box for themselves, is an act of self-sacrificing patriotism⁶¹ deserving the admiration and support of the whole people." (Signed: T. A. Hendricks, W. E. Niblack, William S. Holman, M. C. Kerr).

The Democratic side of the question is argued in detail in the "Address of Democratic Members of the Legislature."⁶² This address opens with the statement that this is a white man's government—made by white men, for white men. It supports this statement by citing clauses in the State Constitution excluding free negroes and giving the right of suffrage to "every male citizen" only. The negro race is a subordinate and inferior race. The right of a State to regulate its suffrage has never been questioned. The dominant party has disregarded these principles both North and South. The Democratic party charged that "there was a settled purpose on the part of the party managers—especially in the East—of the Republican party to *force* negro suffrage, and equality, legal and social, of the races upon the people." The last Republican State convention claimed that giving the ballot to the negro of the South was a necessity, but the right of suffrage in the loyal States belonged to the people of those States. The Democratic platform of the same year expressed itself in favor of "regulating the elective franchise in the States by their citizens." The Republican speakers of the last canvass pointed to the planks of their platform as the views of the party and thereby won the victory.

The "Address" affirms with much emphasis that the bonded and manufacturing interests see their power slipping away, and want to enfranchise the negro—whose vote they hope to control—to retain political power. If they entertained this idea before election, they are guilty of fraud and treachery. When the question of giving the vote to some 600,000 persons is considered, the voice of the people should be taken. "Even in England, lately, when the question of the extension of suffrage to persons not before exercising it, was agitated, the Queen prorogued Parliament, and sent the members to the people to take their voice in the matter by way of a new election. This was the action of a monarchical government, and certainly much more should the principle prevail in a country in which it is

⁶¹The *Daily Evening Commercial* (March 6, 1869, p. 2, col. 2) comments on the "self-sacrificing patriotism" of the persons mentioned in this message. It claims that the members who had resigned their seats could at most lose four days' pay (\$20); but this at a heavy public expense.

⁶²*Indianapolis Sentinel*, March 6, 1869, p. 2, cols. 2 and 3. The next two or three pages constitute a review of this address. Unless another reference is given, the reader will understand that the authority just cited is to be taken.

said the 'voice of the people is the voice of God.' Then let us consult that voice."

The authors of this "Address" feel certain that the people do not want negro suffrage. They offer as evidence the fact that that question was submitted, in the last few years, to the people of Connecticut, Ohio, Michigan, Wisconsin, and Kansas, and was voted down in every one of these States. The Republican party proposes the suffrage amendment now, so that, if passed, the opposition may have died down sufficiently before the next election to enable them to carry that election by the addition of the negro vote. They are trying to force the people to their views. "We desire to consult the people, and not only so, but obey their wishes when expressed fully and fairly."

The Republicans talk a great deal about defeating appropriations. The Democrats are not responsible for this. The Committee on Ways and Means did not introduce these appropriation bills until a late date. The Democrats then asked, both publicly in the House and privately, that the suffrage amendment be postponed for only two days so that necessary legislation might be passed. The majority refused to do this. Furthermore, the Governor had given no assurance that no extra session would be called even if the appropriation bills were passed. Rather than grant a postponement of the suffrage amendment for two days, the majority were willing to let deaf and dumb, insane, and disabled soldiers and their widows and orphans, be without support. "In other words they thrust the negro in advance of everything. They subordinate the interests of those who cannot speak to make known their wants; of those whose maniacal ravings or imbecile tones command our attention; of the weeping widow, the wailing orphan, and the crippled soldier—all, all, are lost sight of in the effort to establish legal and social equality of the degraded colored race with the superior white race."

That social equality was being aimed at they thought was evident. The Legislature a few days before had asked to have colored and white children placed in the same school, and the matter was to be taken up again by the special session. Both the Governor and Superintendent of Public Instruction claimed that the policy heretofore followed was "illiberal" and "unconstitutional." The latter is quoted as having said: "The Son of God, when he clothed himself in flesh, took neither the Caucasian (White) nor African (Black) type, but a medium between them."

The Republicans, the "Address" continued, try to make much of

the fact that each county having a special election will have an extra expense of \$1000. This extra expense might have been avoided by combining the special with the regular April election—only twelve days later than the special election. The fact that the Governor set the special election on a separate day is nothing less than "spite work to punish constituents for sending hard-headed representatives."

The "Address" closes with the following appeal: "If all legal and constitutional barriers and middle walls of partition between the two races are to be broken down; if our schools are to be thrown open, or our school funds, raised by white men, are to be divided with this people; and if they are to vote, and hold office, and sit as jurors,—then will our whole State be flooded by this population. If they labor they will come in competition with, and strike down the wages of, white men and women; if they will not labor, then our pauper asylums, jails, and penitentiaries will be filled with them. Holding these views, the only remedy left in our hands to prevent the ratification of this great iniquity was to restore to you, as the fountain head, the offices bestowed upon us, and take your opinion as to whether we have reflected your will and have stood faithfully by the trust you reposed in us. We hope, if you approve of these doctrines and actions of your representatives, that you will be willing to come out and devote one day to the establishment of principle."⁶³

The introductory remarks of this "Address," dealing with the "white man's government," needs no discussion, since we know that doctrine has long since outlived its usefulness. We also know that the much-dreaded social equality⁶⁴ has failed to become the fashion. The "Address" certainly lost strength by devoting so much time and space to the doctrine of a "white man's government" and to the denunciation of the much-dreaded social equality, instead of concentrating its fire on the legal and constitutional side of the question.

The Republican side of the suffrage amendment controversy is best treated in the "Address of the Republican Members of the Legislature to the People of the State of Indiana."⁶⁵ I shall give

⁶³Signed by Senators J. M. Hanna, Willson Smith, Archibald Johnson, O. Bird, and Representatives J. R. Coffroth, J. F. Welborn, C. R. Cory, W. T. Carnahan.

⁶⁴On the subject of "social equality" the *Indianapolis Journal* (March 8, 1869, p. 4, col. 2) says: "But these Democrats can never be cured of their fear that if a negro be allowed to vote he will marry some Democratic old maid in spite of her teeth and claws, or negro wenches may marry them against all their * * * antipathies. They can protect themselves against white women, but the moment a darky wench brings her fascinations to bear upon him, he is gone."

⁶⁵*Indianapolis Journal*, March 8, 1869, p. 2, cols. 3, 4 and 5.

the main facts of that argument, and quote from it where it expresses the thought better and more forcibly than a condensation could do.

On Thursday morning seventeen Senators and thirty-seven Representatives, all Democrats, resigned.⁶⁶ Their reason for resigning was to defeat action on the Fifteenth Amendment. The resignation broke the quorum when all necessary legislation might have been passed in the three remaining days. Many important measures were just about ready for the final vote; the main one of these was the appropriation bill. All work was stopped by the revolutionary action of the minority.

The Fifteenth Amendment came to the Governor, was submitted to the legislature and made the special order for Thursday, March 4, at 2:30 p.m., "*without an opposing voice.*" The Democrats were assured that it would not be taken up before, but that the regular order of business would be followed until the amendment should be reached. The resignations were handed to the Governor at 8:30 a.m. on Thursday, March 4.

In the five and one-half hours between the time of resignation and the time set for taking up the amendment, the appropriation bill, making unnecessary an extra session, might have been passed. This bill had already passed the House, had been read once in the Senate, was then before the finance committee of the Senate, and might have been disposed of by 11 o'clock of that day. Had it been passed the expense of the present legislature (\$100,000) would not have been totally lost, and the cost of the extra session (\$50,000) might have been avoided. The disregard for public official obligation, the principle involved, means much more. "Obedience to government, is the only hope of a free republican government."

The Democrats had not the slightest assurance that the amendment would have been passed; strong probability of acceptance is no excuse for their action. It would probably have passed the House, but not more than twenty-three votes could be counted for it in the Senate. All of the twenty Democrats and three of the Republicans were opposed to the amendment. Three other Republicans were personally opposed to it, but would not commit themselves; and one Republican was absent on account of sickness. The Republicans were uncertain, the Democrats ignorant; yet the latter were willing to risk ruin for personal and party motives. "This is

⁶⁶I shall present the argument as the "Address" of the Republicans did. Unless another authority is cited, the last one given is to be taken.

the questionable virtue and patriotism that nourished and developed, in its power for evil, the late Rebellion; it is the political material beneath which all free governments have heretofore been buried, and a wise and judicious people will look well to it that the same means shall not be employed for our overthrow which are found mingled with the ruins of the republics of former ages."

The Democrats have no excuse for resigning, since they claim an amendment ratified by one legislature may be repealed by a succeeding one. Ohio and New Jersey acted that way on the Fourteenth Amendment; Indiana might have done the same with the Fifteenth.

They care little for extra expense, and shamelessly attack Governor Baker for not having the vacancies filled on the day of the April election. The present appropriations expire the last of March. To meet the current expenses the Governor would have to borrow money or draw on the treasury in violation of law.

The plea is made that the minority wish to consult the people. The people gave Congress and the legislatures the right to make amendments. Congress proposed the amendment legally, the Governor certified it properly and submitted it to the State Legislature. "All this they know; they knew their duty and did it not, but calumniate the majority because they, too, would not in a like faithless manner, by agreement with them, abandon their post of duty and service, to engage in a worse than useless contest over an exciting question, before the people, when the highest authority, that of the people through the Constitution, had clothed the legislature with power to dispose of the matter."

The majority of those who resigned will probably be reelected. It is a question whether they will do their duty in the special session, or be bolder and more defiant than ever. Judging from the speeches at Metropolitan Hall⁶⁷ of last Friday night, the "disgraceful scenes and base portrayal of public trust" will be repeated. The result of such action would be widespread suffering among the State's wards. The soldier and those depending on him are referred to in these words: "Their poverty, wounds, and helpless condition commend them to the gratitude of the nation; but those public servants would turn them loose, without home or food, rather than forego the opportunity of betraying the public trust in obedience to insane party prejudice."

⁶⁷A meeting was held at Metropolitan Hall on the night of March 5, 1869, by persons opposed to the ratification of the amendment (*Sentinel*, March 5, 1869, p. 2, col. 1).

The Republican "Address" closes with this appeal: "There is a remedy, and only one, and that remedy is to be found in the good sense, the integrity, and patriotism of the people; and to that remedy we now appeal—being fully assured that their approbation will not be withheld from the faithful law-abiding representatives who desire to do their whole duty, that it may be bestowed upon the lawless public servants who seek the triumph of a political party at the sacrifice of the public welfare. To the people we say, and especially the people in whose districts Senators and Representatives are now to be chosen, this remedy is in your hands; employ it for your own good and the good of the public. You may have your political preferences, you may have partisan favorites, but your love of home and family, of order and harmony, of security and peace, will outlast all such predilections. Use the power in your hands to promote order, law, and good government, and you will not again be called upon to supply vacancies in office, voluntarily made by reckless politicians, with men who will be true to the obligations of duty and public conscience."⁶⁸

That the Republican members of the legislature had their argument put up in better form than their Democratic opponents can hardly be questioned; still it has more than one Achilles' heel. The "Address" says that the appropriations might have been passed if the Democrats had remained in the General Assembly up to the time set for considering the suffrage amendment. Such could only have been done—a thing unusual and probably unheard of—by limiting the discussion very much and accepting the measure without amendments. The action of the special session is strong proof against this assertion of the Republicans.

The Republicans also say that the amendment was not sure of a majority vote in both houses. It was not so sure, perhaps, as death or taxes, but according to the evidence of the Republicans themselves, the Democrats can hardly be accused of taking fright without cause.

The reference to the right claimed by the Democrats to rescind the act of one legislature by the succeeding one may have had weight at the time the address was written, but subsequent events have proved conclusively the worthlessness of this argument.⁶⁹ If the

⁶⁸This "Address" was signed by John C. Cravens and John A. Stein, Senators; A. P. Stanton, Speaker; George A. Buskirk and Milton A. Osborn, Representatives.

⁶⁹The Democratic legislature of 1871 proceeded to rescind the Fifteenth Amendment. On January 30 of that year the Senate by a vote of 26 to 20 decided to

regular session of 1869 had ratified the Fifteenth Amendment, no subsequent action—assuming that no special session would have been called—could have been taken before January, 1871. Before that time the amendment had received the necessary support of three-fourths of the States (as the powers that were at that time construed it), and was proclaimed as part of the Constitution.⁷⁰

The Republican defense of Governor Baker for failing to have the vacancies in the General Assembly filled on the day of the regular spring election is weak indeed. I fail to find that a delay of twelve days, which this would have necessitated, would have added much, if anything, to the distress of the persons named.

The Republican appeal, however, is pitched on a higher plane than that of the Democrats. The former appeals to the patriotism of the people, the latter to their race prejudice.

III. SPECIAL ELECTION AND SPECIAL SESSION

The same message of Governor Baker to the House of Representatives which informed that body officially of the resignation of thirty-seven of their number, announced also that writs were being prepared ordering a special election to fill the vacancies caused by the resignations, to be held on March 23.⁷¹

The campaign was a short one. The Democratic papers expressed confidence that the so-called bolters would be reelected, while the Republican papers confined themselves largely to discussing what these "bolters" deserve. The *Indianapolis Journal* resorts to some ridicule in dealing with this subject. On the day of the special election (March 23) it has this to say about the fear of the Democrats that about 6,000 negroes in Indiana may be given the ballot:⁷² "We have the most solemn assurance from the Democratic press and orators that, if Sambo is permitted to vote, white Democrats must marry 'nigger' wives, and blooming damsels of Democratic parentage will seek husbands among the comely sons of Ham."

rescind it (*Sentinel*, Jan. 31, 1871; *Brevier Reports*, XII, pp. 144 and 177). On February 7, the House, by a vote of 47 to 43, decided to refer this amendment to the Committee on Federal Relations (*Indianapolis Sentinel*, March 8, 1871; *Brevier Reports*, XII, p. 236). Any action of this kind was useless as the following note shows.

⁷⁰Hamilton Fish, Secretary of State, on March 30, 1870, announced that twenty-nine States (including Indiana), the necessary three-fourths, had ratified the amendment and that it was now in force (*Globe*, 2d Session, 40th Congress, pt. 3, p. 2290).

⁷¹*House Journal*, Regular Session, 1869, p. 893. The Message is dated March 4, 1869. *Indianapolis Journal*, March 5, 1869, p. 4, col. 1.

⁷²*Indianapolis Journal*, March 23, 1869, p. 4, col. 4.

Early returns of the special election showed that the Democrats had been successful. The Indianapolis *Sentinel* of March 24⁷³ says that the returns are meager, but that it is practically sure that all the Democrats are elected except Mr. Huey. His district was changed in 1867, and at the time of the special election was composed of Grant, Blackford, and Jay counties. In the last election these three counties showed a Republican majority of 382. On the following day the election of Mr. Huey was also conceded, making it a complete victory for the Democrats.

The Republicans, so far as I can find out, did not make any claims, but contented themselves with trying to minimize the Democratic victory.⁷⁴

A careful study of the returns of the special election, so far as these are available, shows that the Republicans took little interest in the contest. Of the seventeen Senators elected, seven were elected without a dissenting vote. Fourteen out of the thirty-eight Representatives had no opposition.⁷⁵

Governor Baker called the special session of the General Assembly⁷⁶ to meet at Indianapolis at 2 p.m. on Thursday, April 8, 1869. In this call and in his message to the special session⁷⁷ he gave as his reason the failure of the regular session to pass the necessary appropriations, but did not so much as mention the Fifteenth Amendment.

Pursuant to this call, the Indiana legislators reported at Indianapolis at the specified time. I put it "reported at Indianapolis,"—for it would be incorrect to say that they reported for duty at that time.⁷⁸ The Republican members reported at the State House, but their Democratic co-workers stayed away from the legislative halls for some time. The reason for their staying away from the State House seems to have been that they wanted to get some assurance from the Republican members that the Fifteenth Amendment would not be taken up until all necessary legislation had been passed. The Republican State paper⁷⁹ claims that thirteen Representatives and five Senators signed a pledge giving this assurance, but that this pledge was rejected by the Democratic caucus on the ground that

⁷³Indianapolis *Sentinel*, March 24, 1869, p. 1, col. 1.

⁷⁴Indianapolis *Journal*, March 24, 1869, p. 4, col. 2.

⁷⁵Four men of color, three in Franklin and one in Fountain county, received votes at this special election.

⁷⁶*House Journal*, Regular Session, 1869, p. 893.

⁷⁷*Senate Journal*, Special Session, 1869, p. 3; *House Journal*, Special Session, 1869, pp. 33 and 34.

⁷⁸Indianapolis *Journal*, April 12, 1869, p. 4, cols. 2 and 3.

⁷⁹*Ibid.*, April 13, 1869, p. 4, cols. 3 and 4.

the Republicans refused to have the agreement printed. Because of this rejection, according to the *Indianapolis Journal*, the Republican members withdrew their pledge, and the Democrats took their seats (April 12) without any assurance. That the Democrats stayed away from the State House for the sole purpose of getting some sort of assurance from the Republicans seems evident; and it is probable they were given this, for on the day the General Assembly was organized (April 12) the House set the Fifteenth Amendment as the special order of the day for Tuesday, May 11. The Senate agreed to this on the following day.⁸⁰

The absence of the Democrats from the State House until some assurance should be given them that the suffrage amendment would not be taken up at an early date cannot have been a surprise to the Republicans. The *Indianapolis Journal* of March 8, 1869,⁸¹ claims to have been informed "that the Democrats who may be elected at the special election will not present their credentials at the opening of the next session unless the Republicans abandon the constitutional amendment." This can hardly be called a guess. Since that is what practically did happen, the statement must be founded in part, at least, on a knowledge of the Democratic plan of procedure. It was understood that the Democrats could, at any time, defeat action on the amendment by resigning as they had done before.⁸² This plan was favored by many Democrats, but few may have been as outspoken as a certain Clay county paper is reported to have been. This paper is reported as having said, in referring to the resignations of March 4, 1869:⁸³ "Well done, thou good and faithful servant; repeat the dose if this does not work the reformation." The course that later was adopted by the Democrats, and how the Republicans met it, will be considered in due time.

At the time set by the Governor for the special session, 2 p.m., April 8, a majority of the Republicans of both Houses—fifty-nine Representatives⁸⁴ and twenty-seven Senators⁸⁵—were present, but for reasons stated above, the Democrats did not appear. It was not until April 12 that a sufficient number of Democrats presented their

⁸⁰*Senate Journal*, Special Session, 1869, p. 19; *House Journal*, Special Session, 1869, p. 15; *Indianapolis Journal*, April 13, 1869, p. 2, col. 6.

⁸¹*Ibid.*, p. 4, col. 3.

⁸²The political complexion of both sessions was identical—House, 56 Republicans, 44 Democrats; Senate, 30 Republicans, 20 Democrats. *Indianapolis Journal* of April 12, p. 4, cols. 2 and 3, admits that they can defeat it in this way.

⁸³*Ibid.*

⁸⁴*House Journal*, Special Session, 1869, p. 4.

⁸⁵*Senate Journal*, Special Session, 1869, p. 4.

credentials to make a quorum. On this day twelve Democratic Senators⁸⁶ and thirty-five Democratic Representatives⁸⁷ took their seats as duly qualified members of the General Assembly.

During the time that the Republican legislators were waiting for a quorum (April 8-12) a new interpretation of what constitutes a quorum was given to the public. On April 10, Isaac Kinley, Senator from Wayne county, said: "The Constitution provides that a majority of the members elected can enact a law or pass a joint resolution. If these gentlemen who stand outside of the bar are not members, then they are not 'members elected,' and the thirty or so members that are here are the Senate and can transact any business we choose."⁸⁸

Two days later (April 12), Mr. Wolcott, Senator for Benton, White, Pulaski, Jasper, and Newton counties, when speaking on the question of a quorum, elaborated this same theory.⁸⁹ He claimed that even though the Senate had believed the quorum to have been broken by the resignation of seventeen Senators on March 4, they had always been a "competent legislative body." He cited that part of the Indiana Constitution that says "two-thirds of each House shall constitute a quorum." This, he argued, does not mean that there cannot be a quorum when there are absences and vacancies. According to his views the Constitution set the maximum, but not the minimum, number that constitutes a quorum. He admitted that his construction of a quorum was not the customary one, but urged that it was not the first time in the century that "new and correct views of statutes and constitutions have obtained."

Mr. Wolcott also discussed that part of the State Constitution that says "a majority of all members elected to said House shall be necessary to pass every bill or joint resolution." He considered qualification as belonging to and being a part of election. "Then the Democratic members could not be considered elected, and need not be considered in determining what constitutes a majority." Shortly before the Democratic Senators took their oath of office, Mr. Wolcott offered this resolution: "That inasmuch as there is a quorum of all the members that are qualified under the Constitution as Senators present, the President be and is hereby directed to proceed with the business of the Senate." The Lieutenant Governor ruled this

⁸⁶*Ibid.*, pp. 17 and 18.

⁸⁷*House Journal*, Special Session, 1869, pp. 10-12.

⁸⁸*Brevier Reports*, XI, p. 31; *Indianapolis Journal*, April 12, 1869, p. 2, col. 5.

⁸⁹*Ibid.*, XI, pp. 35 and 36.

resolution out of order.⁹⁰ We shall see later on, when the question of a quorum again comes up, what weight is placed on the views expressed by these two gentlemen.

On the day that the General Assembly organized (April 12), the House of Representatives agreed to postpone the consideration of the Fifteenth Amendment until May 11. Later it was postponed until 2:30 p.m., May 14. The Senate voted for the latter postponement on May 8;⁹¹ the House on May 10.⁹² It seemed at that time that all necessary legislation would not be passed by May 11, and that a postponement of three more days was considered expedient. The *Indianapolis Journal*⁹³ claimed this meant that the amendment would not be considered at all; that on the evening of May 13 the Democrats would leave and thus defeat all action on it. It added that even if the Democrats should withdraw, they could not keep the amendment from going into effect, since enough other States would ratify it to make the necessary three-fourths.

The *Journal's* claim that the Democrats would not be present on May 14 was good prophecy; yet prophecy of such a nature that others familiar with the political affairs of Indiana could have done as well. The Democrats had resigned on March 4 to defeat the amendment, and there was no reason to believe that their political views had been worked on by sleight-of-hand performers. Besides, the Democrats who took time to explain their votes on the final postponement, said they were unwilling to act on the amendment before the people had expressed themselves on that question.⁹⁴

The *Indianapolis Sentinel*, in commenting on the statement of the *Journal* that the ratification of three-fourths of the States was inevitable, even if Indiana should fail to act on the amendment, said: "If such is the case, why then should the Republicans force a vote in Indiana where a great majority of the people is opposed to it?"⁹⁵

That the Democrats were determined to resign a second time to defeat action on the suffrage amendment seems to have been common knowledge, as the time for considering the measure drew near. The Democratic State organ announced on the morning of May 13⁹⁶ that the legislature would probably terminate on that day. In its opinion all necessary legislation had been completed. John R. Coff-

⁹⁰*Brevier Reports*, XI, p. 37.

⁹¹*Senate Journal*, Special Session, 1869, p. 384.

⁹²*House Journal*, Special Session, 1869, pp. 508-510.

⁹³*Indianapolis Journal*, May 11, 1869, p. 4, col. 4.

⁹⁴*Brevier Reports*, XI, p. 202.

⁹⁵*Indianapolis Sentinel*, May 12, 1869, p. 2, col. 1.

⁹⁶*Ibid.*, p. 1, col. 2.

roth, one of the leaders of the House, had said that he would not remain and help make a quorum to pass that infamous amendment.

The Republicans desired to force a vote on the Fifteenth Amendment. On the morning of May 13, A. Y. Hooper in the Senate moved to suspend the order of business so the amendment might be taken up. The motion was defeated by a vote of 19 to 25.⁹⁷ This action convinced the Democrats that their political opponents were determined to bring up the question on that day, even though the following day had been set for its consideration.

At noon of the same day (May 13), both the Democrats and Republicans of the General Assembly held caucuses. The Democrats decided that the eleven old Senators, those whose terms expired with the session, and the Democratic Representatives, were to resign their seats. The reason given for this arrangement was that it would break the quorum in the House but not in the Senate. Thus the Senate might act on unfinished legislation that had passed the House.⁹⁸

The Republicans held a caucus at the same time that the Democrats were perfecting their plans. We have but little definite knowledge as to the course decided on in this caucus. The *Indianapolis Journal* does not discuss it, and the Democratic papers seem to have only second or third hand information. The *Sentinel*⁹⁹ states it was understood that Senator Morton was present at this caucus and stiffened the backs of some of the wavering Republicans. Since Senator Morton was a man of action and a party man, it is very probable that his participation in the caucus had something to do with the action of the Republican members for that and the following day.

In accordance with the decision of the Democratic caucus, ten Senators¹⁰⁰ sent their resignations to the Governor between 2:00 and 3:00 p.m. of May 13. Just why only ten resigned at this time, and sixteen are reported as having resigned on May 13, is not clear. Besides the Senators named below, Senators Ochnig Bird, Robert Huey, James M. Hanna, Charles B. Lasselle, and William H. Montgomery resigned on that day.¹⁰¹

⁹⁷*Senate Journal*, Special Session, 1869, pp. 472 and 473; *Brevier Reports*, XI, p. 221.

⁹⁸*Indianapolis Sentinel*, May 14, 1869, p. 1, col. 2.

⁹⁹*Ibid.*

¹⁰⁰Senators Carson, Gifford, Howk, Huffman, Humphreys, Lee, Smith, Sherrod, Taggart, Turner. Eleven had been agreed upon, but only ten names appear. (*Indianapolis Sentinel*, May 14, 1869, p. 1, col. 2. *Senate Journal*, Special Session, 1869, pp. 480 and 481.)

¹⁰¹All the source material at my disposal says that sixteen Senators resigned

The Democratic Representatives followed the example of the sixteen Senators, and resigned to break the quorum. Forty-one representatives resigned on May 13.¹⁰²

When the Senate met in the afternoon of May 13, both the Democrats and Republicans had decided on a definite course. The former, by resignation and absence, would break the quorum; the latter would take up the Fifteenth Amendment. Had the Democrats, who said they had resigned, stayed away from the Senate chamber, the course of procedure would have been different; but even then, we may safely say, the amendment would have come up for consideration.

The first roll-call of the afternoon of May 13 showed only twenty-six Senators present.¹⁰³ The doorkeeper was ordered to bring in the absentees, and later the doors were locked. Later in the afternoon the President *pro tempore*, John Green, announced that thirty-four Senators were present. At about this time the rumor became general that the Democratic Senators and Representatives had resigned. John R. Cravens claimed he had seen the resignations of eleven Senators.¹⁰⁴

Another roll-call took place in the Senate at 2:42 p.m. When W. W. Carson's name was called, he said that he was no longer a Senator. J. A. Stein suggested that Mr. Carson be marked present, since there was no certificate showing that he was not a Senator. Daniel Morgan also said he did not know whether or not he was still a Senator. The Democrats protested without avail; the roll-call proceeded and showed thirty-five present.¹⁰⁵

on May 13; those authorities that give the names report only fifteen. (*Senate Journal*, p. 481; *Brevier Reports*, XI, p. 236; *Indianapolis Sentinel*, May 15, 1869.) Senators Bradley, Henderson, Johnson, and Morgan did not resign. (*Indianapolis Sentinel*, May 15, 1869. Their names also appear in the *Senate Journal* after May 13.) That leaves one Democratic Senator unaccounted for, namely, Mr. Denbo. Since Mr. Denbo was present in the Senate on May 13 (*Senate Journal*, p. 476), but his name does not appear in that volume after that date, it seems that he is the sixteenth Senator who resigned on May 13. This opinion is strengthened by an item in the *New Albany Daily Ledger* of May 14, which says that Hon. George Denbo, Senator from Washington and Harrison counties, was in the city on that day.

¹⁰²*House Journal*, Special Session, 1869, pp. 559, 560; *Indianapolis Journal*, May 15, 1869, p. 4, col. 2; *Indianapolis Sentinel*, May 15, 1869. The *House Journal* says forty-two resigned, but gives only forty-one names. Messrs. Coffroth and Davis were the only Democrats left in the House after May 13. That leaves Mr. McFaddin unaccounted for. His name appears in the call of the House for the last time on May 7. The *Logansport Democratic Pharos* of May 12 says: "Mayor McFaddin has resigned his office of Representative * * * and has entered upon his duties of mayoralty of this city." Plainly only forty-one resigned on May 13.

¹⁰³*Brevier Reports*, XI, p. 222.

¹⁰⁴*Ibid.*

¹⁰⁵*Ibid.*

John R. Cravens repeated that he had seen the resignations of eleven Senators—those whose terms expired with the session. Not counting this number, plus the two absentees—James Hughes and Sims A. Colley—there were still left thirty-seven Senators, a quorum. Mr. Cravens said: "We are still a working body, and if there is anything desired to be done, now I suppose is as good a time to do it as any."¹⁰⁶

William F. Sherrod said he had been informed that his resignation had been handed in—but further remarks were drowned by cries of: "Order"; "If you are not a Senator you have no right to speak"; and similar remarks.¹⁰⁷

The next question that came up concerned the closing of the doors. Mr. Wolcott offered the resolution that they remain closed. Mr. Johnson of Montgomery objected to this on the ground that the Senate could not close the doors unless secrecy were necessary. Mr. Wolcott claimed that "the emergency of affairs at this time demanded secrecy."¹⁰⁸ S. F. Johnson said that if secrecy were necessary the lobby would have to be cleared. Harvey D. Scott wanted to know what it was that demanded secrecy. Mr. Wolcott evaded this question by saying, "Let every Senator determine this for himself." Firman Church said he was afraid his wife would hear about it. Finally Mr. Wolcott withdrew the resolution asking that the doors remain closed.¹⁰⁹

Since the Lieutenant Governor decided that the roll-call showed a quorum¹¹⁰ present, the Senate was ready to proceed with the order of business. A. Y. Hooper moved the adoption of the Fifteenth Amendment. The vote then taken stood: yeas, 27; nays, 1; present but not voting, 10.¹¹¹ The Senate considered it necessary to pass

¹⁰⁶*Brevier Reports*, XI, p. 223.

¹⁰⁷*Ibid.*

¹⁰⁸*Ibid.*

¹⁰⁹*Ibid.* Even though that resolution was withdrawn, we have no mention of the opening of the doors until after the vote was taken. *New Albany Daily Ledger* (Dem.) of May 14, 1869, claims the doors were locked so that the Democrats could not get out. It also claims that they also tried to lock the doors of the House, but could not find the keys which, rumor said, were in the pocket of a Representative not a thousand miles from New Albany.

¹¹⁰This included the Democrats present who claimed they were no longer Senators because of their resignations. Actual count shows 37 names (*Senate Journal*, Special Session, p. 474).

¹¹¹*Brevier Reports*, XI, p. 224; *Senate Journal*, Special Session, 1869, p. 475. Yeas: Messrs. Andrews, Armstrong, Bradley, Bellamy, Case, Caven, Church, Cravens, Elliott, Fisher, Fosdick, Gray, Green, Hadley, Hamilton, Hess, Hooper, Johnson of Spencer, Kinley, Rice, Reynolds, Robinson of Madison, Robinson of Decatur, Scott, Steln, Wolcott, Wood—27. Nays: Mr. Jaquess. Present and not voting: Messrs. Carson, Denbo, Giffort, Henderson, Johnson of Montgomery, Lasselle, Lee, Morgan, Sherrod, Smith—10.

a resolution that it be entered on the journal that these ten Senators were present but did not vote.

As the roll was being called on the suffrage amendment, the Democrats present claimed they were no longer members, since they had resigned. This availed them nothing, for some Republican, when the name of one of the Democrats was called, answered "Present but not voting." Messrs. Sherrod and Gifford objected to this, because they had announced their resignations. Mr. Kinley said that both admitted being members by speaking on the floor of the Senate. Mr. Cravens asserted that they would have to be considered members, since the Senate had no official notice of their resignation.¹¹²

There is serious doubt about the presence of all ten of the persons reported as "présent but not voting." The protest offered by the four remaining Democratic Senators—Messrs. James Bradley, E. Henderson, Daniel Morgan, and S. F. Johnson—asserts that "Wilson Smith and G. M. Denbo were not then present in said Senate chamber or in the lobbies thereof."¹¹³ This same protest claims Messrs. Carson, Gifford, Lee, Sherrod, and Smith were no longer members of the Senate, since they had resigned their offices and had informed the President of the Senate of their action.

Since the record of the Senate showed that a majority of that body with a quorum present had voted to ratify the Fifteenth Amendment, the House of Representatives also considered it necessary to take action on it. No quorum was present in the House on the forenoon of May 13.¹¹⁴ On the afternoon of the same day only a few Democrats were present. This was said to have been due to the resignation of many of them. When the House took a vote on the question of dispensing with the further proceedings of the call, Milton A. Osborn objected to the vote of John C. Lawler on the ground that the latter was no longer a member.¹¹⁵ The Speaker answered the objection in these words: "The chair holds that gentlemen must be treated as members here, till we are officially notified otherwise." John R. Coffroth and Henry G. Davis took exception to this, but the roll-call proceeded. The result of the vote as announced by the Speaker was: Yeas, 16; nays, 55; total, 71. Then Moses F. Dunn moved the following resolution: "Resolved, that while we condemn and censure an act revolutionary in its char-

¹¹²*Brevier Reports*, XI, pp. 224-225.

¹¹³*Brevier Reports*, XI, p. 247. *Indianapolis Sentinel*, May 15, 1869, p. 2, cols. 1 and 2. If these two were not present, then the number present is reduced to 36—still a quorum.

¹¹⁴*Brevier Reports*, XI, p. 226.

¹¹⁵*Ibid.*

acter, we congratulate the people of this State on their happy deliverance from the curse of a factious minority."¹¹⁶

Although the vote on the motion to dispense with the further proceedings of the call showed a majority present, doubts were later expressed as to a quorum. The Speaker ordered another roll-call. The result this time showed fifty-five present.¹¹⁷ The Speaker announced there was no quorum voting. He added: "It is not competent for the House to do any legislative business after it has been ascertained there is no quorum present."¹¹⁸ Anthony E. Gordon (Republican member from Boone county) offered a resolution to refer the Fifteenth Amendment to the people, since it could not pass the present session with a quorum present. Objection was raised against this resolution, and the House adjourned.¹¹⁹

The House met again on the following morning (May 14), considered a few matters of little importance, then took a recess till 2 p.m. The motion on the call of the House had shown only fifty members voting.¹²⁰

When the House met at 2 p.m. on May 14, fifty-six members were present.¹²¹ (None of the Democrats who had resigned is included in this number.) Milton A. Osborn moved to take up the Fifteenth Amendment. John R. Coffroth said that there being no quorum present, the House could neither legislate nor act on the amendment. The Speaker answered him by saying that the chair had repeatedly ruled that for purposes of legislation sixty-seven constitutes a quorum, but opinions differed as to what constitutes a quorum to take up the suffrage amendment. He added that on this question there was no precedent or law; but if it was to be settled at all, it would have to be settled under conditions then existing, and let the courts have the final word.¹²² So the Speaker decided that the motion to take up the Fifteenth Amendment was in order. This amendment, known as Joint Resolution No. 18, was then passed. The vote stood: Yeas, 54; nays, none; not voting, 3;¹²³ total, 57.

¹¹⁶*Brevier Reports*, XI, p. 227.

¹¹⁷*Ibid.*

¹¹⁸*Ibid.*, p. 228.

¹¹⁹*Ibid.*

¹²⁰*Ibid.*

¹²¹*Ibid.*, p. 239.

¹²²*Ibid.*

¹²³*Ibid.*, p. 240. Yeas: Messrs. Baker, Barnett, Beatty, Beeler, Bowen, Breckenridge, Chapman, Chittenden, Davis of Elkhart, Davidson, Dunn, Fairchild, Field of Lake, Field of Lagrange, Furnas, Gilham, Gordon, Green, Hall, Hamilton, Higbee, Higgins, Hutson, Johnson of Park, Johnson of Marshall, Jump, Kercheval, Lamborn, Mason, Millikan, Miller, Monroe, Osborn, Overmeyer, Pierce

It is interesting to note the reasons some of the fifty-four gave for voting for the adoption of the amendment; and also the reasons the three gave for refusing to vote.

Mr. Coffroth refused to vote because he believed action on the amendment without a quorum present was illegal. He claimed also that his oath to support the Constitution of the United States and that of the State would not permit him to be a party to an act passed with less than sixty-seven present.¹²⁴ Henry G. Davis, of Floyd, refused to vote for practically the same reason—because, in his opinion, the House had no right to do so.¹²⁵

As James V. Mitchell has given us a strong argument against the ratification of the Fifteenth Amendment at that time, I shall give his reasons for refusing to vote more in detail.¹²⁶ Mr. Mitchell said there had been no discussion whatever of the question in the House, and for that reason alone did he claim the right to explain his position at that time. He said that recently the sovereign power, the people, irrespective of party, had said that the right to control the suffrage belonged to each State "for herself." According to that, as he believed, if all the other States should vote to confer the right of suffrage on the negro, Indiana would still be free to refuse to grant it. He admitted, that "if she did refuse, she might be deprived of her representation as declared in the Fourteenth Amendment. For when the Constitution itself declares, that if any State shall refuse to any portion of her citizens the right to vote, she shall not be allowed representation in Congress for that number, it says to every State in this union, you may or you may not grant the franchise just as you like."¹²⁷ Mr. Mitchell answered the argument that it was proposed to amend the Constitution in regard to suffrage by saying that the Constitution "has declared that right in favor of the people." He claimed that the people were then heaping curses upon the heads of our Senators and Representatives who, pledged to the principle of a State regulating its own suffrage, "violated their obligations to their sovereigns." Furthermore, he had sworn to support the Constitution of this State, and it declares that no business can be done without a quorum. He would not acknowledge the right of the

of Porter, Pierce of Vigo, Ratliff, Rudell, Sabin, Skidmore, Smith, Stanton, Stephenson, Stewart of Ohio, Stewart of Rush, Taber, Underwood, Vardeman, Vater, Wildman, Williams of Hamilton, Williams of Union, Wilson, Buskirk (Speaker)—54. Not voting: Messrs. Coffroth, Davis of Floyd, Mitchell—3.

¹²⁴*Brevier Reports*, XI, p. 240.

¹²⁵*Ibid.*

¹²⁶*Ibid.*, p. 241.

¹²⁷*Ibid.*

House to act on the question by voting either for or against it; neither would he make perjury the last act of his connection with the Fortieth General Assembly of Indiana.¹²⁸

Of those voting for the ratification of the amendment, Gilbert A. Pierce, of Porter, gave the best explanation of his vote, and I shall give it first. He took exception to Mr. Mitchell's reference to perjury, designating it as "uncalled for." In his opinion the House had a legal right to pass a resolution or laws, as long as a majority was present. He said if the minority, by their resignations, were allowed to break up a quorum, it would set a bad precedent; and in the future it might be impossible to pass important legislation. To quote Mr. Pierce:¹²⁹ "If that doctrine is entertained, I submit that our institutions are a mockery, our republicanism is a farce, our State government is nothing but a huge skeleton draped in the fig-leaves of democracy."

Mr. Pierce discussed also the question of a quorum.¹³⁰ He argued if the "House" meant a full membership (100) then practically all acts of legislation are illegal. If less than a hundred constitutes a "House," then the question arises, How many less? He cited instances in the national House where less than half the members had been considered a quorum. He agreed with Vallandigham who said in Congress that they had no knowledge of any members unless they appeared there. He concluded with these words: "The question of negro suffrage is about to be settled for all times. . . . It has been the threatening cloud which has hung over this nation for years. Let us dispel the clouds by voting for this just provision, and thereby set in the political heavens the rainbow of peace to us and promise to them."¹³¹

S. H. Stewart, of Rush county, voted to pass the resolution, because he claimed they had to meet revolution with revolution, and that it was constitutional to do right. He did not believe there was any precedent for the case; it was even so unnatural that there was no law covering it.¹³²

John I. Underwood claimed that there was a quorum present, and that he was bound by oath to vote "aye." According to his interpretation of "quorum," forty members at that time could legislate or do any other business that might come up.¹³³

¹²⁸*Ibid.*

¹²⁹*Ibid.*, p. 242.

¹³⁰*Ibid.*

¹³¹*Ibid.*, p. 243.

¹³²*Ibid.*, pp. 243-244.

¹³³*Ibid.*, p. 244.

Moses G. Dunn voted for the resolution because he believed he had a legal and constitutional right to do so. Even had he thought otherwise, he would have felt justified to vote that way, in accordance with the old maxim, "In rebellion laws are silent."¹³⁴

Anthony E. Gordon personally believed that the vote was illegal; but since learned lawyers had given their opinion to the effect that it was legal, he was willing to give the benefit of the doubt to humanity and vote "aye."¹³⁵

From the foregoing explanation of votes we see that those who refused to vote claimed that the House could not take action at that time because, in their opinion, there was no quorum present. Those who favored the passage of the amendment at that time were not unanimous in their opinion why it should pass. Some were satisfied that a quorum, in the meaning of the Constitution, was present; while others did not accept that interpretation, but claimed it was necessary to pass the amendment to meet revolution with revolution, feeling satisfied that the end justified the means.

IV. WAS THE RATIFICATION OF THE FIFTEENTH AMENDMENT BY THE GENERAL ASSEMBLY OF INDIANA CONSTITUTIONAL?

The question of the constitutionality of the ratification of the Fifteenth Amendment by the General Assembly of Indiana constitutes the last section of this paper. Much has been said and written on this question. I shall review the arguments both pro and con, and try to reach a conclusion.

The best and fullest argument in favor of the constitutionality of the question up for consideration has been offered by Senator Morton, and I shall therefore review his exposition carefully.¹³⁶

Mr. Morton points out the fact that the resignation of members of the General Assembly to defeat the will of the majority occurred for the first time in 1869. Before that time the quorum had been broken by absence.¹³⁷ In the latter case, the absentees might be sent for and the quorum thus restored; not so in the case of resignations.

¹³⁴*Brevier Reports*, XI, p. 241.

¹³⁵*Ibid.*

¹³⁶*Indianapolis Journal*, May 25, 1869, pp. 4 and 5.

¹³⁷To prevent the breaking of a quorum by absence, a bill was passed by the General Assembly of 1867, making such action punishable by a fine of \$1,000. The act reads: "Willful or intentional absence or refusal to vote on the part of any member, or to answer to their name on vote or roll-call with intent to delay or defeat legislation, shall be deemed guilty of misdemeanor and be fined \$1,000." Approved February 7, 1867 (*Laws of Indiana*, 1867, p. 131).

Article IV, Section II, of our State Constitution says, "Two-thirds of each House shall constitute a quorum to do business." Article I, Section 5, of the United States Constitution says, "Each House shall be the judge of elections, returns and qualifications of its members, and a majority of each shall constitute a quorum to do business."

The question now comes up: What constitutes a House? According to Mr. Morton, clearly not a hundred, not fifty, respectively.¹³⁸ If action required that number, the General Assembly could seldom act; since there is hardly a day without some absences due to death, failure to elect, or failure to qualify. Vacancies caused by death or resignation are never filled without delay, so some time must elapse before all the members can be present. Mr. Morton said that if ten counties should fail to elect representatives, ninety members constitute the House, and two-thirds of these (sixty) is a quorum. If ten members were to die or resign, the result would remain the same. He maintained that the "House" meant the whole number of actual members.¹³⁹ He says that to pass a bill or joint resolution it takes a majority of all the members elected to each House.¹⁴⁰ This means fifty-one and twenty-six respectively. According to this, less than a majority can not transact any business, but the framers of the State Constitution certainly did not mean to give the minority the means of preventing legislation. There was no question in Mr. Morton's mind in regard to the legality of the ratification of the Fifteenth Amendment, since twenty-seven Senators and fifty-four¹⁴¹ Representatives voted in favor of such ratification. He said the Fifteenth Amendment passed both as to the letter and the spirit of the Constitution; the only possible complaint that could be made was that the minority was not able to defeat the will of the majority.

The practice in Congress, according to Mr. Morton's exposition, was similar to the course adopted by the General Assembly of Indiana. In the Senate the majority of members who are left are recog-

¹³⁸Indianapolis Journal, May 25, 1869.

¹³⁹Had the Senate resolution read in Congress by Mr. Morton on March 15, 1869, been passed, there could be no doubt concerning the soundness of this argument. This resolution provided that a "majority of any State legislature shall be sufficient to ratify any amendment to the Constitution of the United States proposed by Congress; and the resignation or temporary refusal to act of the minority shall not affect the validity of such ratification by the majority." (*Globe*, 1st Session, 41st Congress, p. 63; *Indianapolis Journal*, March 16, 1869, p. 1, col. 1; *ibid.*, March 17, p. 4, col. 1.)

¹⁴⁰Indiana Constitution, Article IV, Sec. 25.

¹⁴¹Mr. Morton said 55. *Brevier Reports*, XI, p. 240, says 54.

nized as a quorum. The Senate has a rule to that effect; the House has not, but recognizes the same principle. This construction was the only one that could keep the minority from bringing on a state of anarchy; and it was time to put an end to such action both in State and nation.

In this exposition, Senator Morton argues that the ratification of an amendment to the national Constitution differs from an act of legislation, because the duty to consider an amendment is imposed on the State by the nation, and a State Constitution cannot prohibit the consideration thereof. For that reason, if for no other, he believes that a majority of the members of a State legislature should be considered sufficient to pass it. Where the duty is imposed by Congress, the performance of it as imposed by the national government should be sufficient in the State.

An act of Congress of July 26, 1866, makes the following provisions concerning the election of United States Senators:¹⁴² On the second Tuesday after the State legislature meets, each House shall vote for Senator; at 12:00 m. the next day both Houses shall meet to elect a Senator; a majority of all the votes of the joint assembly elects, provided that a majority of all the members elected to both houses are present and voting.¹⁴³ In Indiana seventy-six, probably all Representatives, might proceed to elect, and thirty-nine votes would be sufficient for election. Mr. Morton shows here that Congress has the power to regulate the election of United States Senators, and we may infer that it also has the power to say how constitutional amendments shall be ratified.

The Democratic view in regard to the constitutionality of the passing of the Fifteenth Amendment has been stated at various points in the previous chapter, and needs only to be mentioned. The

¹⁴²Morton's exposition, *Indianapolis Journal*, March 25, 1869, p. 5.

¹⁴³This Federal law covers the constitutional question raised in Indiana in previous controversies. In 1855 the two Houses of the General Assembly were of different politics and refused to go into a joint session to elect a United States Senator (*Turple Sketches of My Own Times*, p. 176). The General Assembly of 1857 was Democratic on joint ballot, but the Republicans had a majority in the Senate. The Senate was unwilling to join the House in joint session for the purpose of electing United States Senators, so on February 4, 1857, the Democratic Senators joined the House of Representatives and Jesse D. Bright and Graham N. Fitch, both Democrats, were elected Senators. Both received 83 votes, a majority of all the votes of the General Assembly (*Turple*, p. 176; *House Journal*, pp. 395-396.) The opposition claimed (1858) that "legislature" meant the concurrent action of both Houses, consequently Bright and Fitch had not been elected. The Democrats contended that the majority had the legal right to take such action. The Republican majority, the Democrats refusing to take part in the proceedings, elected Lane and McCarty to the Senate. The United States Senate seated Bright and Fitch (*Turple*, pp. 177-179).

Democrats claimed that the amendment had not passed, because no quorum was present at the time the vote was taken. A statement given "To the People of Indiana of All Parties"¹⁴⁴ reviews the question and claims the amendment was voted on by less than a quorum. This appeal states that the vote in the House was 53¹⁴⁵ ayes, no nays, and 3 not voting; a total of 56. The same article claims the action of the Senate was not valid; for in order to have the records show a quorum present the following Senators who had resigned were counted: Messrs. Gifford, Carson, Smith, Sherrod, Lee; and Mr. Denbo, who was absent, was counted present. Mr. Smith had resigned and was also absent. The appeal adds that the "records were falsified to show a quorum by persons under oath and pretending to be Christian men."¹⁴⁶

It seems that the Democratic State papers were unanimous in their opinion in regard to the so-called ratification of the Fifteenth Amendment in Indiana. They claim it was illegal. The Indianapolis *Sentinel*, Terre Haute *Journal*, and Jeffersonville *Democrat* protested against the action of the General Assembly.¹⁴⁷ Not all the Republican papers of Indiana were sure that the action of the legislature was legal. The Lafayette *Journal* was one that doubted the legality of the action.¹⁴⁸ The New York *Times* also considered the action illegal.¹⁴⁹ The *Daily Evening Mirror* (Republican) of Indianapolis prints the following:¹⁵⁰ "The following article from the Chicago *Evening Post*, an able and independent Republican newspaper, expresses our views exactly." These views are that there may be some question as to the legality of the action of the Senate, but that the action of the House certainly was illegal. The *Mirror* quotes the following as its opinion also: "The Fifteenth Amendment, ratified by the means chosen for the purpose in Indiana, would not be worth the parchment on which it is engrossed." The Richmond (Ind.) *Radical* says that the vote of Indiana may or may not be counted for the amendment; still it is sure of adoption. It ends its article with these words: "Glory Hallelujay!"¹⁵¹

In conclusion, I shall review the situation with the hope of being able to determine the legality of the action of the General Assembly

¹⁴⁴Indianapolis *Sentinel*, May 15, 1869, p. 2, cols. 1 and 2.

¹⁴⁵*Brevier Reports*, XI, p. 240, says there were 54 ayes.

¹⁴⁶This article was signed by J. M. Hanna, J. R. Coffroth, and John S. Davis.

¹⁴⁷Foulke, *Life of Morton*, II, pp. 114-116.

¹⁴⁸*Ibid.*, p. 117.

¹⁴⁹*Ibid.*

¹⁵⁰*Daily Evening Mirror*, May 18, 1869, p. 1, col. 2.

¹⁵¹*Radical*, May 20, 1869, p. 2, col. 1.

of Indiana on the Fifteenth Amendment. The first question that comes up is: Did Congress have the right to propose the suffrage amendment in 1869? Both the Republican national platform of 1868 and the Republican state platform of the same year had plainly stated that the question of suffrage in the loyal States should be left to the States. We have a right to believe that the voters who supported these platforms held the same view. We may also take it for granted that the Democrats held the same view. Morally then, I claim, Congress was bound to leave the question to the States. Legally, Mr. Morton was right when he said that those planks expressed the opinion of the party on the suffrage question as the Constitution then stood, but that did not mean that at no subsequent time might they change it on that subject.¹⁵² In answer to the first question, I will say that morally Congress did not have the right to propose the Fifteenth Amendment at that time; legally it could do so.

The second question to be considered is: Has the minority of a legislature the right to defeat the will of the majority? According to the underlying principle of democracy *it has not*. I believe that the framers of our constitutions, both national and State, did not intend to give to the minority in the respective legislative bodies the right to defeat the will of the majority by withdrawal or resignation. Yet, at several different times, this very act has been resorted to in Indiana. The Republicans withdrew from the General Assembly in 1865 to keep the Democrats from passing the Militia Bill.¹⁵³ How the minority defeated the will of the majority in the regular session of 1869, and either defeated or attempted to defeat it in the special session of the same year, has been fully discussed and needs no further comment. Again in 1871 a number of Representatives resigned as the only means of defeating the Apportionment Bill. This time thirty-four Republicans sent in their resignations to the Gov-

¹⁵²*Globe*, 3d Session, 40th Congress, p. 861 (February 4, 1869).

¹⁵³This General Assembly was composed of 27 Democratic, 21 Republican, and 2 Independent Senators; 60 Democratic and 40 Republican Representatives (*Daily State Sentinel*, Feb. 9, 10, 11 and 12, gives this list). The Militia Bill proposed to reserve to the people enrolled under it the right to choose company and regimental officers, and to give to the General Assembly the appointment of Major-Generals and Brigadier Generals (*Daily State Sentinel*, Feb. 28, 1863). The purpose of this bill was to tie the hands of Governor Morton. The *Daily State Sentinel* of March 2, 1863, says: "They [the Republicans] have either gone home or left for parts unknown. * * * The Republican members of the House have absquatulated." This same paper says: "Whenever the minority shall aim to overturn legislation by acts of revolution, they will place themselves in the same category with Mr. Jefferson Davis and his confederates in crime against Constitution and laws." This withdrawal of the Republican Representatives left the State without the necessary appropriations.

error, on February 22.¹⁵⁴ Republicans claimed that these members resigned to keep the Democrats from redistricting the State in such a way that the Republicans could never again have a majority in the General Assembly.¹⁵⁵

The third, last, and main question is: What constitutes a quorum in the General Assembly of Indiana? The Speaker of the House ruled, shortly before the vote was taken, that for legislative purposes he had always maintained that sixty-seven constituted a quorum, but that for the consideration of the Fifteenth Amendment a quorum was present.¹⁵⁶ Neither law nor precedent was produced to back up this statement.

The Senate did not care to go on record as passing the Fifteenth Amendment without the claim of a quorum. There may be some question as to whether a quorum was present when that measure was voted on, but the record left by that body shows a quorum present.¹⁵⁷ Possibly this record was padded to show the requisite number, and that body did not care to proceed with less than thirty-four names on the record. If this number was necessary to proceed with the business of the Senate, it is hard to see how the House could take legal action with less than sixty-seven members present.

The ruling of the Speaker that a bare majority might pass a constitutional amendment, while for legislative action two-thirds of all the members (67) was necessary, is too weak to stand. If this view was correct, why should Mr. Morton have made the attempt to have a Federal statute passed to that effect? If such action was legal, why should it require a law to make it so?

When the seventeen Senators and thirty-seven Representatives resigned on March 4, 1869, the Governor and the Republicans as well as the Democrats agreed that the quorum was broken. When the Republicans withdrew from the General Assembly in 1863, Republicans and Democrats agreed that the General Assembly could take no action. When in 1871 thirty-four Republican Representatives resigned, the wheels of the legislative machinery stopped. Why then should the House of fifty-seven members proceed to pass

¹⁵⁴*Senate Journal*, 1871, p. 745; *Indianapolis Journal*, Feb. 24, 1871, p. 4, col. 1. The resignation of these thirty-four members left the House without a quorum. If there were no vacancies, the House was reduced to sixty-six—one less than a quorum.

¹⁵⁵*Indianapolis Journal*, Feb. 24, 1871, p. 4, col. 1.

¹⁵⁶The record shows 57 present when the vote was taken.

¹⁵⁷The term "quorum" as here used means two-thirds of the full number of Senators, or 34.

the Fifteenth Amendment?¹⁵⁸ One answer is, that this was the only way that it could be passed.

Viewing the question in the light of the spirit of the law, I should say that the Fifteenth Amendment was legally passed by the General Assembly of Indiana. If we apply the letter of the law to our question, a thing which has been done too much in the past and is still defeating the good intentions of many a measure, I should say that the Fifteenth Amendment was never ratified by the General Assembly of Indiana.

The best argument, in my opinion, that the Republicans could find for taking a vote on the amendment was that it was meeting revolution with revolution. In the letter of the law the Democrats certainly had the right to resign; but, I believe, the framers of our Constitution did not intend to put into anybody's hands such a dangerous weapon. Morally, then, they were bound to retain their seats, and make the ratification of the amendment possible; legally, they were under no obligation to take part in the work. For the same reason the Republican members had no moral right to withdraw in 1863 or to resign in 1871; but there was no law to keep them from doing so. All were by duty bound to remain, and let the majority reap the honor or share the blame that might come from their own wise or foolish action. True democracy is founded on this principle.

¹⁵⁸Goodrich and Tuttle (*History of Indiana*, p. 250), in commenting on the statement of the chair that there was a quorum of *de facto* members present, claim that this decision was afterward substantially sustained but the Supreme Court case and authority are not cited, so the reader is permitted to take this statement at his own estimate.

SKETCHES OF EARLY INDIANA SENATORS—(III) WILLIAM HENDRICKS, 1825-1837

By NINA KATHLEEN REID, A.M., Attica

WILLIAM HENDRICKS was born at Ligonier, Westmoreland county, Pennsylvania, November 12, 1782. He received his education in the common schools at Cannonsburg, having as class-mate Dr. Andrew Wylie, who later became president of Indiana University.

When he reached manhood, Hendricks left Pennsylvania for Cincinnati, Ohio, where he stayed a year or two, studying law. After being admitted to the bar, he came, in 1813, to Madison, Jefferson county, which remained his home until his death.¹

When Hendricks came to Indiana he was without friends, money, or patronage, but he immediately got into politics. He had brought with him a printing press and soon commenced to publish a weekly paper, the *Madison Western Eagle*. Through this paper he became well known and soon made his way into politics.

Indiana was at that time still a territory, and to the Territorial General Assembly which met at Corydon November 1, 1813, Hendricks was elected to represent Jefferson county in place of William McFarland, who had resigned. He was also territorial printer for this, the second session of the Fourth General Assembly, printing the Acts of the Assembly at the office of the *Western Eagle* at Lexington.² He represented his county in the special session of June 1, 1814, and again in the first session of the Fifth Assembly, August 15, 1814, to September 10, 1814, when he was elected Speaker. At the second session of the Fifth Assembly, he served as clerk of the House, an office he had also held at the first session of the Fourth Assembly.

When the Constitutional Convention met at Corydon, June 10, 1816, Hendricks attended, although he was not a delegate. He was elected secretary of the convention, and discharged his duties so well that when the convention adjourned he had acquired a reputation for ability and political sagacity not surpassed by any one in Indiana.³

¹Woollen, *Sketches of Early Indiana*, p. 51.

²*Ibid.*, p. 53.

³*Ibid.*, p. 52.

August 5 of the same year, at the last election held under the territorial government, Hendricks was elected to Congress, defeating Allen T. Thom. At this time Indiana was entitled to only one Representative in Congress. December 2, 1816, he qualified and took his seat in the second session of the Fourteenth Congress. He was placed on the Committee on Public Lands.

Hendricks's first speech in the House was on the Compensation Law. Colonel R. M. Johnson, of Kentucky, had reported a bill to repeal the Compensation Law, which had been passed at the previous session, giving a salary of \$3,000 to the President of the Senate and Speaker of the House and \$1,500 to each member of the Senate and House, in place of \$6 a day, the previous compensation. Hendricks, together with James Noble and Waller Taylor, the Indiana Senators, had been instructed by the Indiana legislature to try to get this law repealed. In his speech, Hendricks showed how the ideas of expenditure of his constituents differed from those of the eastern cities. The people of the West had little means of getting money, and \$6 a day, the previous compensation for members of Congress, seemed big enough to them. He did not think lowering the compensation would exclude the best talent of the country. This act was repealed March 19, 1819.⁴

On February 12, 1817, when the Senate and House met to count the electoral votes, the question arose as to whether the votes of Indiana should be counted. Congressman Taylor of New York objected because the enabling act admitting Indiana was not passed until December 11, 1816, while the electors had been chosen before this time. The Senate withdrew while the House considered the question.⁵ Hendricks made a plea for his State. He argued that the only question for Congress to decide was whether the State had a constitution that was republican. He said the same authority which gave him the right to vote in the House gave Indiana also a right to vote for President and Vice-President. The House did not come to any conclusion, so the votes were counted.⁶

Hendricks was elected to Congress again August 4, 1817, over Thomas Posey who had been Territorial Governor from 1812 to 1816. In a letter published in the *Indiana Republican* at Madison, September 16, 1817, he answered the attacks of his enemies. Before this he had paid no attention to the abuse of newspapers, but now

⁴*Annals 14th Congress, 2nd Session*, p. 507.

⁵*Ibid.*, p. 944.

⁶*Ibid.*, p. 948.

he proceeded to answer questions which the *Indiana Herald* had put to him. The *Herald* had charged him with having procured the appointment of printers of the laws of the United States for the editors of the *Gazette* at Corydon, instead of for the *Herald*. To this Hendricks replied that it was proper that the laws should be published at the seat of government by a paper established there. Besides, neither he nor Senator James Noble had been informed that the editors of the *Herald* wanted the appointment, while the editors of the *Gazette* had made application.

Another serious charge was that he had tried to have the printing of the laws taken away from Elihu Stout of the Vincennes *Sun*. This Hendricks declared was charged in order to make the people of the West think he was trying to take away from them the means of promulgating their laws. He said he had given his opinion of Stout as an editor, saying that he was indolent and not punctual in publication, all of which was undoubtedly true. However, he had refrained from mentioning what he might have—the fact that Elihu Stout had permitted all kinds of slander and abuse against the government to be published in his paper.

Hendricks had been further charged by the *Herald* with procuring for Armstrong Brandon, the editor of the *Gazette*, the appointment of postmaster at Corydon, while disregarding Willis M'Bean, who had been recommended by Harvey Heth, the former postmaster. Hendricks proceeded to tell his side of the story. Early in the last session, Harvey Heth had sent a letter to the Postmaster General, tendering his resignation. He named Willis M'Bean as his successor, proposing to transfer his papers to him as soon as M'Bean was authorized to receive them. His letter was handed over to Hendricks.

Hendricks, wondering that the people of Corydon had not recommended Willis M'Bean or any one else, thought that they did not know of the resignation. He decided to wait until he received letters from Corydon. On the second mail he received letters telling of Harvey Heth's resignation and of the application of Armstrong Brandon, who was well recommended. The Postmaster General also received recommendations favoring Brandon. It was only then that Hendricks acquiesced in this nomination.

Hendricks had also been abused for his correspondence with the Acting Secretary of War on the subject of the claims of the militia of Indiana for services in the War of 1812. The recognition of these claims had been brought about by Jennings while in Congress.

Hendricks declared that in spite of the abuse of the *Herald* he would do all he could at the next session to get the militia and rangers paid. He would not rest until every cent had been paid them.

Hendricks claimed that no fault could be found with any of his acts. All the opposition he had met with was due to the fact that people were jealous because a man, who had come to Indiana without money or friends, should so soon get into Congress.

He traced the opposition of the *Herald* back to the time when its editors had been disappointed by not being appointed printers of the United States laws. This was in January, 1817. Since then they had abused him without ceasing. On March 5 they had advertised a caucus which met March 15 to select a candidate to oppose Hendricks for Congress. Nothing was done here but to arrange for a meeting April 28, the first day of court, when the citizens of Harrison county would attend and might favor candidates at that place. This caucus, however, was abandoned.

On May 10, the *Herald* justified caucus nominations as the best way of bringing out candidates, but May 24 one of the editors announced himself as candidate without a caucus nomination.

About August 1 Thomas Posey was brought forward as candidate by a small caucus at Vincennes. The *Western Sun*, which had formerly been hostile to a caucus, was now silent. Hendricks professed the highest respect for Thomas Posey, who had long been in public life. He said he would have withdrawn in favor of Posey but that the latter had been brought forward by his own avowed enemies with the purpose of defeating him. If he had withdrawn it would have given too much satisfaction to his enemies.⁷

At the first session of the Fifteenth Congress, Hendricks was again placed on the Committee on Public Lands, on which committee he served during his tenure of six years in Congress. During this session he made a speech on the Jeffersonville Canal. March 6, 1818, he offered a resolution regarding the subscription by the United States for shares in this canal company. Indiana had just passed a law incorporating the company with a capital of \$1,000,000, for the purpose of making a canal around the falls of the Ohio river at Jeffersonville. In his speech at the time that he presented the resolution, Hendricks showed the importance of this canal to the States of Kentucky, Virginia, Pennsylvania, Ohio, and Indiana, as well as to all the western country. The falls were the only obstacle to the

⁷*Indiana Republican* (Madison), Sept. 16, 1817.

navigation of the Ohio; the removal of this obstacle would have a great bearing on the commerce and prosperity of the West. It was also important from a national point of view, as military stores for the West must pass down the Ohio. At this time Hendricks mentioned the need of a military road from the Falls to the south head of Lake Michigan, this road to be used for transporting military stores and supplies to Chicago, Fort Gratiot at the outlet of Lake Huron, and other fortifications west as far as the Mississippi.⁸

Hendricks was re-elected to Congress August 3, 1818, over Reuben W. Nelson, and again, August 7, 1820, he defeated the same opponent. In the first session of the Sixteenth Congress, the question of this amendment. He spoke of the policy of the government following New York proposed that the bill for admission be amended by incorporating in the fourth section a provision that there be neither slavery nor involuntary servitude in Missouri except for punishment of crime, and that fugitive slaves be returned.⁹ Hendricks was in favor of this amendment. He spoke of the policy of the government followed in the Northwest Territory and showed the result of that wise and liberal policy, adding that if this same policy should "roll on with the flood of emigration to the West" it "would add a constellation to the Union equal in luster to the brightest stars of the East."¹⁰

He answered the objections of those who opposed Taylor's amendment because they thought it imposed conditions on a State, by saying this was concerned with Missouri as a territory and not as a State.¹¹ Congress can impose conditions on a territory. It owns the soil of the territory and can prevent citizens, whether from the North or South, from settling that territory.¹² Furthermore, it may refuse admission to new States if their constitutions contain anything that might cause invasion and violence. Hendricks went on to show that slavery came under this provision. "Slavery," he said, "is an evil. It is admitted so by all in the South. Its existence is a matter of much lamentation to them." He ended by saying that the Constitution, while providing for slavery, had never meant to foster and cherish it.¹³

Hendricks was censured for his attitude toward the admission of Missouri. February 17, 1821, a meeting was got up at Montgom-

⁸*Annals 15th Congress, 1st Session*, p. 113.

⁹*Annals 16th Congress, 1st Session*, p. 947.

¹⁰*Ibid.*, p. 1344.

¹¹*Ibid.*, p. 1345.

¹²*Ibid.*, p. 1347.

¹³*Ibid.*, p. 1345.

eryville, Indiana, in which James Noble, who was in the Senate, and Hendricks in the House, were severely denounced for their opposition to admission without restriction. The Indiana legislature, by a vote of 22 to 5, on the other hand, passed censure on Senator Waller Taylor for voting against restriction, and requested its Senators and Representatives to procure the passage of a law by Congress authorizing the people of the Territory of Missouri to revise their constitution, so as to provide that no more slaves be admitted, and that they make no restriction on the right of free persons to settle and reside in their territory.¹⁴

In 1822, Hendricks ran for Governor against Barrach B. Dimmich. At the August election he received 18,340 votes, nearly all that were cast. Ratliff Boone was elected Lieutenant Governor. Hendricks resigned from the House and Jonathan Jennings was elected to succeed him. December 4, 1822, Hendricks entered on his duties as Governor.

In his message to the Legislature of Indiana, December, 1822, he said: "Let us not lose sight of those great objects to which the means of the State should at some future day be devoted—the navigation of the Falls of the Ohio, the improvement of the Wabash and the White rivers and of other streams, and the construction of the National and other roads through the State."¹⁵ However, the people of Indiana were struggling under business depression and little was done by the Legislature during the time Hendricks was Governor except in the cause of education.¹⁶ December 1, 1823, Christopher Harrison made a report of the condition of the three per cent. fund, of which he was the agent. In 1824, the Legislature appointed him and Hendricks commissioners to open a canal around the Falls of the Ohio. Their report was given January 18, 1825.¹⁷ Very little was done.

During the time Hendricks was Governor, the capital was changed from Corydon to Indianapolis.¹⁸ The same winter he was elected to the United States Senate. The election took place January 12, 1825. On the first ballot, Isaac Blackford received 26 votes, Hendricks 25, and Jonathan Jennings 10, scattering 1; on the fourth ballot, Hendricks was elected by a vote of 32 to Blackford's 30. On February 12, 1825, Hendricks resigned as Governor to become United

¹⁴*Niles' Register*, 19, 416.

¹⁵Conklin, *Young People's History of Indiana*, p. 229.

¹⁶Smith, *History of Indiana*, II, p. 712.

¹⁷Woolen, *Sketches of Early Indiana*, p. 165.

¹⁸Sulgrove, *History of Indianapolis and Marion County*, p. 58.

States Senator. There was no Lieutenant Governor to succeed him, as Ratliff Boone had previously resigned. James B. Ray, President pro tem. of the State Senate, became Acting Governor, serving until December 25, the close of the term.

Hendricks was elected to a second term in the Senate by the State Legislature December 18, 1830. On the first ballot he received 31 votes, Ratliff Boone 26, John Law 12, Charles Dewey 9, scattering 4; on the fourth ballot Hendricks was elected, receiving 44, Boone 26, Law 9, Dewey 3.

On entering the Senate in 1825, Hendricks was placed on the Committee on Roads and Canals, on which committee he served during his twelve years in the Senate, acting as chairman from 1830 to 1837. He was a firm believer in internal improvements and favored the building of roads and canals in all parts of the country. On this committee he did some very good work for the West and for his own State.

His first speech in the Senate was February 14, 1826, on the subject of the Florida canal. A bill for the survey of Florida with a view to a canal across it had been reported back by the Committee on Roads and Canals with an amendment providing for the survey of the country between the Apalachicola and Mississippi rivers, with a view to the formation of inland navigation. Hendricks from the Committee on Roads and Canals explained the amendment which would mean the extension of the survey to the Mississippi river. The Committee had examined the maps of the coast from the Apalachicola to the Mississippi, showing a continuation of bays, sounds, and inlets that made inland navigation for 350 miles practicable. Hendricks advocated this canal, as it would make it possible for the produce of the western country, coming down the Mississippi, to go in the same boat directly into the canal and then to the Atlantic markets, instead of being stopped at New Orleans.¹⁹

He answered the constitutional objections of those who were opposed by saying that in 1824 a law had been passed authorizing the President to make surveys of roads and canals that were of national importance. Thirty million dollars had been appropriated for this, and if this sum was not all spent, the Secretary of War would direct the survey.²⁰

Hendricks believed that the proposed canal would be very valuable, as it would remove the necessity of navigation across the Gulf

¹⁹*Congressional Debates*, II, p. 91.

²⁰*Ibid.*, p. 92.

of Mexico and around the West Indies, and thus relieve commerce of the danger of piracy and shipwreck. He prophesied that the day was not far off when a canal at the Isthmus of Panama would give this proposed canal much of the commerce of the East Indies and the Pacific. The amendment of the Constitution was rejected and the bill that was approved March 3, 1826, provided only for the survey of Florida from the St. Mary's river to the Apalachicola, and from the St. John's river to Suwanee bay. Twenty thousand dollars was appropriated for this work.²¹

In this same session of Congress the subject of the Wabash-Erie canal was brought up. Congress had, on May 20, 1824, passed an act authorizing Indiana to open a canal through the public lands to connect the Wabash river and the Maumee of Lake Erie. By this act, ninety feet of land on each side of the canal was to be reserved, and the use of it given to Indiana for the canal.²² If the canal was not completed in twelve years, or if the land was not used for the purpose of building the canal, the reservation was to be void. Every section of land through which the canal passed was to be reserved for future sale until directed by law.²³

In 1826, a bill was brought up granting a certain amount of land to Indiana to aid it in opening this canal.²⁴ Hendricks thought this grant should be made while the country was still largely unsettled and the land worth only \$1.25 an acre. Some people thought there was no need of such a grant—that the land along the Wabash should merely be reserved from sale.²⁵ Hendricks showed that this would defeat the very object of the canal, as the country along there which they wanted to settle up would be left a desert. He showed the great importance of the proposed canal. The Wabash he called the "great artery of the Northwest," which Nature had designed to unite the waters of the East and the West.²⁶ It would be of great value in the case of war, for transportation of military supplies and troops from the Mississippi to Upper Canada, or from Upper Canada to the South and West. It would also be of vast importance for commerce, connecting as it would the upper countries around the St. Lawrence with the Mississippi.²⁷

Senator Findlay from Pennsylvania had remarked that Indiana

²¹*United States Statutes*, IV, p. 139.

²²*Ibid.*, p. 47.

²³*Ibid.*, p. 48.

²⁴*Congressional Debates*, II, p. 491.

²⁵*Ibid.*, p. 592.

²⁶*Ibid.*, p. 593.

²⁷*Ibid.*, p. 595.

was expecting too much. She should be made to build her own canals. The new States were asking for entirely too many laws on the subject of public lands, roads, and canals. Hendricks answered him by saying that this was not the fault of the new States. They had unwisely made a compact with the government not to tax the public lands—hence they had no revenue with which to build roads and canals; furthermore, as the public lands did not belong to them, they could not make laws regarding them, but must leave that to Congress. He ended by saying that Indiana had cheerfully voted for the equipment of war vessels to protect foreign commerce, and should not be considered extravagant because she asked aid in domestic commerce.²⁸ The bill making this grant was laid on the table at this session, much to Hendricks's disappointment.

The subject was brought up again the next year at the second session of the Nineteenth Congress, 1826-27. A bill was proposed granting six sections of land to aid Indiana in opening the canal. In a speech made February 9, 1827, Hendricks said the objection made last year, that the land was not yet purchased from the Indians, was done away with. A treaty made with the Indians, October 16 and 23, 1826, near the mouth of the Mississinewa river, ceded the land from the Ohio line to the Tippecanoe river north of the Wabash. This treaty had been ratified only a few days before.

Another objection had been, that there were no inhabitants along the line of the canal. Hendricks explained that there was now a settlement at Fort Wayne and the land in the vicinity of the canal would be settled very rapidly from now on. If this grant was made to Indiana, the land given would be sold and thus furnish revenue for the building of the canal.²⁹ The efforts of Hendricks and other western men were rewarded. A bill approved March 2, 1827, granted land equal to one-half of five sections in width on each side of the canal, reserving each alternate section to the United States. The lands given were to be disposed of by the legislature of Indiana. A stipulation was made that the canal should be commenced in five years. Property of the United States and persons in service of the United States, were to be allowed the use of the canal without paying toll.³⁰

The second session of the Nineteenth Congress was also occupied

²⁸*Congressional Debates*, II, p. 596.

²⁹*Congressional Debates*, III, p. 310.

³⁰*United States Statutes*, p. 236.

with the important question of the public lands. Much of these lands remained unsold after being long in the market. It was thought something should be done to dispose of them. A bill was brought up proposing to graduate the price of lands, so that those remaining unsold March 4, 1827, should be offered for sale after one year, at \$1 per acre; those unsold after two years from that date to be sold at 75 cents per acre, and so on until they reached 25 cents an acre; lands unsold for one year after they were offered for 25 cents per acre should be ceded to the States in which they were located. Hendricks proposed an amendment, making the first four sections of the bill apply only to the territories; ceding the public and unappropriated lands to the States in which they lay on condition that they should not put these lands on the market at a lower price than was established by law for the sale of lands in the territories; and providing that the States should hereafter extinguish Indian titles.³¹ In a speech made January 19, 1827, he showed the need of a change in the present land system. As the system was, the lands in the new States belonged to the Federal Government, which had exclusive control of them, established the land offices, and got the revenues coming from them, while the old States owned their public lands, had their own land offices and revenues, and laws made by the legislature regarding them. This, Hendricks claimed, was unfair to the new States. Moreover, Congress had to spend a great deal of time passing laws regarding the public lands in the new States which had better be spent on more important subjects, such as commerce, the army, the navy, and foreign relations. Besides, there was trouble in Congress over the question of internal improvements. Large minorities in both Houses denied the power of Congress to build roads and canals, although by compact with the new States it had pledged 5 per cent. from sale of lands for this purpose.³² The graduation bill failed to pass.

Early in the next Congress, Hendricks brought up the matter of cession again, presenting a resolution regarding the matter, December 20, 1827. He reinforced his former arguments, saying that the sovereignty, freedom, and independence of the new States were much impaired by the present condition of the public lands. The Federal Government, he said, had no constitutional power to hold the soil of the States except for forts and dockyards, the consent of the State legislature being necessary even then. The States which

³¹*Congressional Debates*, III, p. 39.

³²*Ibid.*, p. 50.

had ceded the lands of the Northwest Territory had intended that States formed from this land should be received into the Union as sovereign and independent States, on an equality with the old States.³³ He also used the argument of secession, saying that public lands in the hands of the general government offered the new States the strongest inducement to the dissolution of the Union, as in that case the land would instantly revert to the States.³⁴ No bill was presented on this subject.

In the same session, a bill for graduation was again brought up. January 28, 1828, Hendricks offered an amendment providing for the cession of lands to the States, making an extended speech.³⁵ This bill was rejected April 22, 1828.

The next year, Hendricks presented a joint resolution of the Legislature of Indiana regarding cession, asking her Senators to use all their efforts to get a bill passed.³⁶ Similar resolutions had been presented by Louisiana and Illinois. Another attempt to carry this same matter of graduation and cession through Congress was made in 1830. The General Assembly of Missouri had presented a memorial praying for the passage of such a law. A bill was brought up in the Senate, May 3, and explained by Senator Benton.³⁷ A new provision was contained in this bill in favor of actual settlers, who could buy lands at each successive graduation for 25 cents less per acre than general purchasers. Provision was also made for donation to poor families without any payments. Hendricks did not like the details of this bill, but was willing to vote for it because it did more than any previous bill toward putting land into the hands of the poor classes, which he regarded as its proper destination. This policy, he thought, would induce the poor of the old States to move to the new.³⁸ This bill failed to pass. With its failure, Hendricks seems to have given up the struggle to change the land system, which he had carried on for several years.

Hendricks, during his career in the Senate, favored many bills providing for the building of roads. January 10, 1827, he spoke for a House bill providing for the laying out of roads in the Territory of Michigan. General Cass had recommended these roads. They were important because they would go through the country of the Pottawattamies where there was not a single white man living at

³³*Ibid.*, IV, p. 16.

³⁴*Ibid.*, p. 17.

³⁵*Ibid.*, p. 151.

³⁶*Ibid.*, V, p. 58.

³⁷*Ibid.*, IV, p. 424.

³⁸*Ibid.*, p. 425.

the time. They would cause the country to be settled up quickly.³⁹ The act, approved March 2, 1827, authorized the laying out and opening of roads in Michigan.⁴⁰

In 1827, January 30, when a bill to appropriate \$15,000 for a road in Arkansas from Fort Smith to a place in Louisiana came up, Hendricks favored it, as it was a military road connecting posts on the frontier. The bill was rejected on the ground that it would pass through Louisiana, a sovereign State. Another bill for the construction of a road from Memphis, Tennessee, to Little Rock, Arkansas, was brought up in the Senate a few days later, February 1, 1827. Hendricks offered two amendments authorizing the construction of a road from Fort Smith to Fort Towson on the Red river. The amendments were accepted and the bill was passed, March 3, 1827.⁴¹

A bill to authorize the United States to subscribe for stock in the Ohio Turnpike Company was reported in the Senate in 1827. February 17, 1827, Hendricks moved an amendment, proposing a grant of land to Ohio to be used by the State to aid the turnpike company. This amendment was accepted by the Senate and incorporated in the bill, approved March 3, 1827.⁴²

A bill to authorize the subscription to stock in the Chesapeake and Ohio Canal Company came up 1828. May 20, Hendricks spoke in favor of this bill, as he thought this canal would be the means of uniting the feelings and interests of the East and West.⁴³ May 24, 1828, a bill was passed, authorizing the Secretary of the Treasury to subscribe to 10,000 shares of stock in the company.

Hendricks did a great deal for the Cumberland Road. In 1828 when the bill for the completion of the road to Zanesville, Ohio, came up in the Senate, Macon of South Carolina offered a resolution that Congress relinquish the road to the States through which it passed, and give up claim to the whole of the 5 per cent. fund reserved from the sale of public lands. Hendricks opposed this resolution, as it would change the compacts which had been made by Congress with the States. He did not think this could be done without the consent of the States, although if he should consult the interests of his own State he would favor this proposition, because if the compacts were relinquished, the public lands would revert to

³⁹*Congressional Debates*, III, p. 55.

⁴⁰*Ibid.*, IV, p. 231.

⁴¹*Ibid.*, III, p. 377.

⁴²*Ibid.*, IV, p. 792.

⁴³*United States Statutes*, IV, p. 293.

the States.⁴⁴ Macon's resolution was rejected, and the act for completion of the road to Zanesville was passed May 19, 1828. It appropriated \$1,750,000 for this work.⁴⁵

The next year, March 2, an act was passed for opening and making the road west of Zanesville; also an act, March 3, 1829, to appropriate \$100,000 for the repair of bridges and walls east of Wheeling.⁴⁶ In 1831, Hendricks favored a bill granting the assent of Congress to an act of the Legislature of Ohio for erecting tollgates and providing for the preservation of the road in the State. As the government had refused to erect tollgates, the receipts from which were to be used for repair on the road, Hendricks argued that Ohio should be allowed to do so. If the government refused to repair the road, the problem might be solved by turning the road over to the State. This Hendricks objected to, as it would be a violation of the compact with the States. The matter was finally settled in 1832, when an agreement was made with the legislatures of Maryland, Ohio, and Indiana that they should receive the road as soon as it was repaired.⁴⁷

In 1836, Clay objected to the bill to continue the road in Ohio, Indiana, and Illinois, saying that it showed favoritism to the North. The country south of the Ohio, he said, was ten times as important as that north, and yet nothing was done for it. Hendricks denied this. He went on to show that the Northwest paid \$1,500,000 into the Treasury in 1835 and the South paid not a dollar; the South could tax their lands and the North could not. The North spent millions on roads and canals, making lands more valuable.⁴⁸ The South was always dissatisfied because the government helped the North; but Hendricks showed the prosperity of the North was due, not to gifts and grants, but to energetic people, who moved there; to the fertility of the soil, and to the climate. He showed how this road had been the means of settling up the country to a greater extent than any other road; it was the principal thoroughfare of emigration from Eastern States to the Northwest. The road had been finished to Hebron, Ohio, and given up to the States to be preserved and repaired. He urged that appropriations be made to keep it from being injured by delay and neglect.⁴⁹ This bill was passed July 2, 1835.

⁴⁴*Congressional Debates*, IV, p. 125.

⁴⁵*United States Statutes*, p. 275.

⁴⁶*Ibid.*, p. 363.

⁴⁷*Congressional Debates*, X, p. 1142.

⁴⁸*Ibid.*, XII, p. 629.

⁴⁹*Ibid.*, p. 631.

A matter that Hendricks was much interested in was the navigation of the Wabash. Before 1832, he and Tipton had brought up the subject of the improvement of the Wabash, trying to have it classed with other works of internal improvement. In 1832, they had been successful. Hendricks introduced a bill March 20, 1832, for the improvement of the navigation of the Wabash, which became an item in the Harbor Bill of 1832, and was vetoed by Jackson.⁶⁰ Thinking the President had disapproved of this because it was connected with the Harbor Bill, in 1834 Hendricks presented it as a separate bill and it was again vetoed. In 1835, Tipton submitted a resolution regarding the improvement of the Wabash, and a bill was reported for the improvement of rapids below Vincennes by a canal, fifteen miles long. January 2, 1835, the bill was taken up. At this time Hendricks expressed his opinion of Jackson's views on internal improvements, as very injurious to the prosperity of the Union and especially to the West. He held that the Federal Government should improve rivers, since they were public highways, excluded from public surveys, and could not become the property of the State.⁶¹

The reason he urged the improvement so strongly was that the canal from the Maumee to the Tippecanoe river was already surveyed and about one-half completed. He thought the rest could be finished by 1837, and he wished the canal made so that navigation would be complete. This bill failed to pass.

The next year practically the same bill was introduced. Hendricks tried to show the importance of the Wabash, which, he said, sent to New Orleans a larger quantity of agricultural products than any other tributary of the Ohio. It was navigable for steamers to the mouth of the Tippecanoe, a distance of five hundred miles. However, there were falls below Vincennes, so that in dry seasons boats could not get out with produce. In 1822, Indiana and Illinois had passed laws authorizing examination of obstructions by engineers of each State. Appropriations had been made later, but the States could not do this themselves. This bill failed. Hendricks again, the next year, 1837, moved an amendment to the Harbor Bill, but it was negatived.⁶²

Another work of internal improvements in which Hendricks was interested was the Louisville and Portland Canal at the Falls of the

⁶⁰*Congressional Debates*, VIII, p. 592.

⁶¹*Ibid.*, XI, p. 84.

⁶²*Ibid.*, XII, p. 564.

Ohio. May 25, 1836, the Committee on Roads and Canals reported a bill authorizing the purchase by the United States of private stock in this canal.⁵³ Their object was to have the canal belong to the government and be thrown open to free navigation, charging only tolls necessary for repairs.⁵⁴ This canal had been built by a company of stockholders in Kentucky. The company charged such heavy tolls that commerce could not endure it and steamboats employed between Louisville and St. Louis paid almost their whole value in one year in tolls.⁵⁵ This bill was not passed.

Mr. Hendricks was in favor of a tariff for the encouragement of manufacturing. When the question of the tariff was brought up in 1832, Clay, January 10, presented his resolution to reduce duties on certain imported articles—perfumes, fancy articles, tropical fruits,—not coming into competition with similar articles in the United States.⁵⁶ Hendricks made a long speech on this resolution in which he objected to the abolition of duties on articles that were luxuries and used only by people of cities and seaboard. He spoke of the new policy of the government in reducing the revenue for fear of a surplus. He said men of the West had been looking forward to, instead of fearing, a surplus as a means of a permanent and enlarged plan of internal improvements. He would never vote to reduce revenues of the country to the minimum of current expenditures, as it would be farewell to internal improvements and to all hopes of modifying the land system.⁵⁷

In the controversy between Jackson and Congress on the subject of the National Bank, in 1835, Hendricks expressed himself on the need of a national bank as a currency regulator. He preferred a United States Bank located in Washington, as this would do away with constitutional difficulties. The bonus should be distributed among the States in proportion. The Bank should locate branches in the States only by permission of the State Legislatures, and States should be prohibited from taxing the banks.⁵⁸

The distress of this time, Hendricks attributed to the excitement caused by the removal of deposits rather than the removal itself. Hendricks thought the removal was unfortunate, although he did not doubt the power of the President to remove. He had voted against the resolution of censure passed by the Senate on Jackson.

⁵³*Ibid.*, p. 1564.

⁵⁴*Ibid.*, p. 1565.

⁵⁵*Ibid.*, XI, p. 1566.

⁵⁶*Ibid.*, VIII, p. 614.

⁵⁷*Ibid.*, p. 615.

⁵⁸*Ibid.*, X, p. 1808.

On December 26, 1836, Benton presented a resolution to expunge from the journal the resolution of March 28, 1834, censuring Jackson for having moved the deposits.⁵⁹ Hendricks would not vote for the resolution. In a debate, January 16, 1837, he said he thought this resolution had done more harm through exciting party spirit than any other measure that could have been proposed, but he would not consent to its being expunged, as such a power did not exist in the Senate. He was willing to vote in the journal of the present session to rescind the resolution of 1834, but not to obliterate the journal. Daniel Webster sided with Hendricks and voted against the Expunging Resolution.⁶⁰

In 1835, the question of the northern boundary of Ohio occupied some time in the Senate. The northern boundary of the Territory of Indiana had been an east and west line tangent to the southern bend of Lake Michigan. When Indiana was admitted to the Union this line was moved north ten miles in order that the State might have a harbor on the lake. The inhabitants of Michigan Territory resented this action and never conceded its legality. When the question of the northern boundary of Ohio came up in Congress for final settlement, Hendricks proposed as an amendment that the north line of Indiana, as established by the enabling act of 1816, and as surveyed according to an act of Congress dated March 2, 1827, be extended to Lake Erie, to become the northern boundary of Ohio. Michigan claimed to come south to the east and west line through the southern extremity of Lake Michigan, a claim they based on the fifth article of the Ordinance of 1787. Hendricks claimed that by this same article Congress could merge Michigan with Indiana, Ohio, and Illinois. He regarded the chief part of the Territory of Michigan in the peninsula as taken from Indiana. Hendricks's amendment was incorporated in the second section of a bill to establish the northern boundary of Ohio, approved June 23, 1836.⁶²

At the first session of the Twenty-Fourth Congress, Mr. Lyon and John Norvell, claiming to be Senators of the United States for Michigan, appeared in the Senate. Benton offered a resolution, December 22, 1835, that they be allowed seats in the Senate as spectators, until the final decision was made as to the admission of Michigan into the Union. Michigan had already asked for admission.⁶³

⁵⁹*Ibid.*, XIII, p. 128.

⁶⁰*Ibid.*, p. 471.

⁶¹*Ibid.*, XI, p. 113.

⁶²*Ibid.*, p. 112.

⁶³*Ibid.*, XII, p. 36.

Hendricks objected to this resolution, because Michigan claimed a part of the Territory of Indiana, and with this claim, she could never be admitted to the Union. He offered an amendment to Benton's resolution, providing that the same courtesy be extended to Norvell as a spectator in the Senate, which by the rules of the Senate were extended to the delegates of the territories and members of the House of Representatives. Lyon was already a delegate in the House, so he was not included. Hendricks' resolution was agreed to.⁶⁴

At the same session, the memorial of Michigan asking to be admitted as a State was presented. Hendricks resisted the pretensions of Michigan, which claimed admission as a sovereign and independent State. He regarded Michigan as having violated the laws of the United States in establishing territorial government in Michigan. This territory had not asked permission of Congress to form a constitution and State government. He thought that they should do this first, or else amend the constitution, adopting proper boundaries.⁶⁵

At the second session of the Twenty-Third Congress, Hendricks offered a resolution regarding the fixing by law of the time of the commencement and close of the sessions of Congress.⁶⁶ The sessions had come to be very long. That of 1831-32 had lasted until July 16; that of 1833-34 until June 30. These long sessions, Hendricks thought, served only to heighten the party strife and national discord, as no more was done than in short sessions.⁶⁷ His resolution was agreed to, and a bill reported, fixing the beginning of the session for the first Monday of November, and the day of adjournment of the first session of every Congress for the second Monday in May.⁶⁸ This bill was passed by the Senate and House, but vetoed by Jackson, who regarded it as unconstitutional. He regarded the day of adjournment as a question to be settled only by each Congress, although the day of opening could be fixed by law.

During his second term in the Senate, Hendricks served on the Committee on Indian Affairs, on the Committee on Private Land Claims, and from 1832 to 1837, on the Committee on Militia. While on the Committee on Indian Affairs, he showed his acquaint-

⁶⁴*Congressional Debates*, XII, p. 39.

⁶⁵*Ibid.*, p. 288.

⁶⁶*Ibid.*, p. 42.

⁶⁷*Ibid.*, p. 44.

⁶⁸*Ibid.*, p. 1649.

ance with the character of Indians. In 1830, January 14, he advocated settling the Miamis and the Pottawatomies west of the Mississippi.⁶⁹ The Miamis lived on the south shore of the Wabash. The canal was located through their reservation, and this led to quarrels between the Indians and white men, often ending in bloodshed.⁷⁰

It was Hendricks's practice to issue a circular, near the close of every session, to the people of Indiana, in which he reviewed the work of that session. These were printed in the newspapers of the times. In his circular of June 30, 1836, he discussed the question of surplus revenue, which had come up during the session about to close, July 4. The surplus on hand June 9, 1835, was \$33,000,000. It was proposed to get rid of this by distribution among the States, by building fortifications and ships of war, or by the Land Bill. He had voted for the Land Bill, which had passed the Senate. As it was long before the House, and seemed as if it would not pass, he had voted for a distribution among the States.

The question of slavery had come up at this session. Hendricks expressed his opinion of the Abolitionists as misguided in their efforts. "For with the question of slavery, except in the District of Columbia, this government has nothing whatever to do. Slavery in the States is a question belonging exclusively to themselves. Slavery, it must be admitted, is a dangerous and deep-rooted evil in our political system, but it is one for which there seems to be no remedy, and the less the subject is agitated here and elsewhere, the better it is for the peace and welfare of the Union."⁷¹

In his circular written from Washington, February 14, 1837, Hendricks again discussed the subject of slavery in connection with the agitation about the annexation of Texas. He spoke of the condition of slavery in the South, and the spirit of abolition in the North. "This," he said, "is the rock on which the vessel of the Union is likely to split. Non-slaveholding States have nothing to do with slavery in the Southern States. This is a matter of State regulation altogether." He thought that Texas, whether it was annexed or not, would induce a great slave immigration there, and thus prevent too great an accumulation of slaves further south.⁷²

Hendricks's retirement from public life came in 1837, as a result of the overthrow of the Jacksonian party in Indiana by the Harri-

⁶⁹*Ibid.*, VI, p. 17.

⁷⁰*Ibid.*, VI, p. 17.

⁷¹*Logansport Canal Telegraph*, Aug. 6, 1836.

⁷²*Logansport Canal Telegraph*, March 18, 1837.

son-Whig upheaval of 1836. As he was about to leave the Senate, Hendricks summed up his public life in Indiana. He said that he had always worked for the interest of his State with zeal, devotion, and fidelity, and ended by saying:

"Whatever may have been the ardor and intensity of my zeal and industry in her service, and of my devotion to her interests; whatever may have been the buffeting of political life, and the fiery ordeal through which I have passed; conscious I am that I shall never cease to owe her a debt of gratitude and one so large that I shall never be able to pay it.

"Neither prosperity nor adversity can ever eradicate those things from my mind, nor separate me in heart and affection from the people of the State. I have seen many days of her prosperity, in which she has grown and flourished like a green bay tree. I have seen many of her important interests arising into existence. Some of them in infancy have been especially committed to my care; some of these have since gained colossal size and strength, and now march forward with irresistible power, overcoming by their own energies everything that comes in their way. Such is the Wabash and Erie Canal, and the Cumberland Road. These were the first important works commenced in our State, and they are still, and ever will be, the main arteries in our system of internal improvements.

"Whilst I shall live to behold the waters of the Mississippi united with those of the Northern Lakes, through the Wabash and Erie Canal, I shall not cease to look back with pride and pleasure to the part it was my lot to bear in giving impulse to that first and most magnificent of our works of internal navigation."⁷³

Hendricks was interested in education, and contributed to the support of Indiana University and Hanover College. He helped in many public enterprises.⁷⁴ By this interest in many things, as well as through his public service, he was for many years the most popular man in Indiana. He was large and fine looking, with a smile and a warm handshake for every one.⁷⁵ His manners were very pleasing. He never did anything to antagonize any one if he could help it.⁷⁶

Hendricks's family was one of the most prominent in the history of Indiana. His eldest son, John Abram, was a captain in the Mex-

⁷³Logansport Canal Telegraph, March 18, 1837.

⁷⁴Woollen, *Sketches of Early Indiana*, p. 53.

⁷⁵*Indiana Gazeteer*, 1850.

⁷⁶O. H. Smith, *Trials and Sketches*, p. 86.

ican War, and lieutenant colonel in the Civil War when he was killed at the battle of Pea Ridge. Another son, Thomas, was also killed in this war. A brother and nephew were in the State Senate. Thomas A. Hendricks, Governor of Indiana, United States Senator, and Vice-President of the United States, was a nephew.⁷⁷

Hendricks died at his farm in Jefferson county, Indiana, May 16, 1850. He had been in feeble health the greater part of the winter and spring, but had recovered enough to attend to his business. On the afternoon of May 16, he had attended a session of the city council, and then went to his farm, where he died of heart disease. He was buried in a vault at Springdale Cemetery, Madison.⁷⁸

⁷⁷Woollen, *Sketches of Early Indiana*, p. 54.

⁷⁸Lafayette *Weekly Journal*, May 30, 1850.

THE INDIANS ON THE MISSISSINEWA

By SARAH JANE LINE, Marion

[In view of the interest now taken in marking historic sites in Indiana, it has been thought worth while to publish the following facts concerning the Indians on the Mississinewa, and the battle fought between them and a detachment of General Harrison's forces on the banks of that river, in Grant county, at the close of the year 1812.]

ACCORDING to Indian tradition, the Miamis came to the Mississinewa from the Big Miami near Piqua, Ohio. Previous to this their chief had accompanied a white man to Philadelphia, and while there George Washington, President of the United States, had given him some presents and a parchment on which there was writing. This made the other tribes jealous. Soon the chief sickened and died, and his people believed he was poisoned. Fearing the Pottawattomies, the Miamis came to the most beautiful river in Indiana, the Mississinewa.¹

Its high cliffs alternating from side to side, its winding bed composed of gravel and stone, were favorite haunts of the Miamis. The adjoining lands were the red man's ideal. They were overshadowed with one unbroken forest of black walnut, hard maple, hickory, elm, sycamore, and great thickets of undergrowth. The wild plum trees yielded their fruit in season. The wild grape, the black and white walnut, the beech, the oak, and mulberry also yielded their store. The luxuriant vines and grasses furnished pasturage. All the various animals common to the country were here, together with flocks of wild geese in countless numbers, ducks, and turkey, affording food of the most delicious character.

The beautiful river with its many tributaries afforded easy access to these lands. This stream was well stocked with numerous varieties of fish; while its clear waters made them an easy prey to the agile Indian, skilled with the bow and arrow. The springs, gushing from the banks, furnished an abundance of excellent water for man and beast.

It was this paradise of nature that so attracted Frances Slocum, a little girl who was captured by an Indian in the Wyoming Valley, Pennsylvania, and carried here in Revolutionary times. Many years later Frances was found here in Indian garb, leading an Indian life.

¹*Historical Atlas of Grant County*, p. 16.

She loved the Mississinewa too much to go back to her relatives, and was buried with Indian rites in their burying ground on its banks.²

But with all this loveliness of nature the Indian found himself constantly disturbed by the white man. The whites were increasing rapidly in number, and were very eager for this land. The Miamis became alarmed for fear they should be overpowered. When Little Turtle, who was born about the year 1747, became chief, he expressed himself as anxious to do all in his power to preserve peaceful relations between the white and red people. Little Turtle, or Me-chi-quin-no-quah, distinguished himself as a warrior above all rivals. He was the acknowledged war chief at the time of St. Clair's expedition against the Wabash Indians. He directed the movement of his dusky army which resulted in the defeat of the Americans. In 1792 he commanded a body of Indians who made a violent attack on a detachment of Kentucky volunteers, under the walls of Fort St. Clair near Eaton, Ohio, but the savages were repulsed with considerable loss. He was also at the action of Fort Recovery in June, 1794. However, the campaign of General Wayne proved too skillful for the Turtle, and he was defeated at Fallen Timbers. Prior to this battle a council of Indian chiefs was held in which Little Turtle showed his sagacity by refusing to attack the forces of General Wayne. At his death, which occurred July 14, 1812, he was succeeded by Peelon, an Indian with one large eye and one small one. Peelon listened to the warlike eloquence of Tecumseh, and sanctioned the hostile acts of the Miamis.³

Previous to this, General Hopkins organized a military force to operate in the Indian country. His troops were divided into three regiments of Kentucky militia, commanded by Colonels Barbour, Miller, and Wilcox. Also a small company of regulars under Captain Zachary Taylor, a company of rangers under Captain Benjamin V. Beckes, of Vincennes, and a company of scouts commanded by Captain Washburn. They started from Vincennes, and moved northward very slowly until they reached the east bank of the Wabash opposite the Prophet's town, where they encamped. They had been expected for a long time by the Indians, and this made it necessary for the white men to guard their troops well. Accordingly, a party of ten or twelve mounted men was sent out in different directions as scouts to reconnoitre the country. A portion of these, John La Plante, Dr. Gist, and a man named Dunn, when

²*Indiana Magazine of History*, I, p. 119.

³*History of Wabash County*, p. 25.

about six miles from camp, discovered a small party of Indians. La Plante, who was formerly an Indian trader, soon saw that the Indians meant to cut them off from their camp. He urged his comrades to make their escape with him. However, Gist and Dunn wanted to get the number of the enemy. They watched their movements until the Indians were upon them. La Plante put spurs to his horse and made his escape without difficulty. Gist finally escaped, but Dunn was shot down and killed.

The Indians, consisting of Miamis, Winnebagoes, Kickapoos, and Pottawatomies, numbering about seven hundred, had not been idle. They were strongly encamped on the bank of the Wild Cat. Their scouting party of warriors who had killed Dunn cut off his head and set it up on a stake at the spot where his body lay, the face in the direction of their camp. The Indians rightly inferred that some portion of the troop, on the next day, would visit the spot where the scout fell, to bury his body and to search the country for their enemy. Thus the dusky warriors determined to prepare an ambushade for them. They posted themselves in a long and deep ravine heavily shaded with forest trees, leading to Wild Cat creek, about a mile and a quarter from the spot where Dunn's body lay, with directions to one of their braves to post himself there and upon the arrival of the white troops to entice them into the fatal ravine.

When our troops approached, Colonel Miller discovered an Indian, who put spurs to his horse as if to make his escape. Miller immediately raised the yell and the troops hastily followed in pursuit of the Indian. They could have shot him several times, but it seems to have been their purpose to capture him alive. The Indian uttered loud yells, probably as a signal to his concealed comrades. Thus the white men rushed into the ambushade. Thirteen of them were shot dead at the first fire. Defense was hopeless. The survivors put spurs to their horses and fled as rapidly as they could. For this reason the ambushade was called "Spurs Defeat." General Hopkins said, "I have no doubt but their grounds were the strongest I have ever seen." The Indians, it is said, peeled the bark from several trees and painted them black and red, significant of defiance. Immediately after this victory they began planning a more aggressive campaign against the whites.⁴

Soon the Miamis, with some Delawares from the site of the present city of Muncie, on the White river, assembled in the towns on the Mississinewa, fifteen or twenty miles from its confluence with

⁴*History of Wabash County*, pp. 53-55.

the Wabash and near the boundary line between the present counties of Wabash and Grant. As they were there for hostile purposes, Harrison resolved to disperse or destroy them. Harrison was commander of the army of the Northwest at this time, with his headquarters at Dayton, Ohio. He selected a strong detachment of his army to accomplish his purpose. This detachment consisted of about six hundred mounted riflemen, under the command of Colonel John B. Campbell, of the Nineteenth regiment of Kentucky dragoons (commanded by Major James V. Ball); a corps of infantry, consisting of Captain Elliot's company of the Nineteenth regiment; Butler's Pittsburg Blues; and Alexander's Pennsylvania Riflemen. Harrison advised that they inform themselves as minutely as possible about the nature of the country, and the situation of the Indians along the Mississinewa, from David Conner, an old pioneer, whose business was to trade with the Indians.⁵

According to his relatives, David Conner was one of the first white men to visit the Mississinewa and the Indian villages along it in Grant and Wabash counties. For years he ran a kind of skiff or flatboat on the river, and had stated places to stop, where he would blow a horn and all the Indians in hearing who wished to buy or sell would meet him for the purpose of trade. He continued in this trade until the 19th day of October, 1825, when he bought of the government a fraction of the northeast quarter of section twenty-four in Pleasant township. At the same time he purchased of Goldsmith Gilbert a small store located on this parcel of land, and at once established a trading post. This place became the scene of the wildest and most barbarous acts. The Indians would assemble there after their hunting expeditions and trade their furs for whiskey, and when drunk, their savage natures knew no restraint. They would engage in bloody hand to hand encounters. The stronger, after overcoming the weaker, has been known to cast his victim on a burning pile of logs and keep him there until roasted alive.

Mr. Conner is buried in the field just a short distance west of where his store stood. The original tombstone has been replaced with a respectable monument containing the following inscription: "David Conner—Aug. 9, 1844; Aug. 8, 1771." His grave is enclosed with a heavy stone wall twenty-four feet long, twelve feet wide, three and one-half feet high.

Following closely their general's advice, Colonel Campbell and

⁵Llossing, *Field Book of War of 1812*, p. 346.

his men left Dayton, Ohio, in the middle of December, 1812, on an eighty-mile march to the Mississinewa towns. There had been quite a delay in procuring horses. Each soldier was required to carry twelve days' rations and a bushel of corn. The weather was severely cold, nevertheless they marched forty miles the first two days. On the third day they made a forced march and covered forty miles during the day and night, reaching the battleground on the Mississinewa.⁶ This spot overlooks a beautiful bend and stretch of the river, about a mile from the site of the little town of Jalapa, Pleasant township, Grant county. They had come by way of Springfield, Xenia, Dayton, Eaton, and Greenville. This route was more distant from the Delaware towns, which they wished to avoid because of friendly relations existing between that tribe and the United States. They feared that the march of an armed force through the Indian country might excite them and drive them over to the British.⁷

On the eve of December 16, 1812, Campbell's army reached the mouth of the Me-to-cin-iah creek, as stated above, and went into camp. About 8 o'clock on the next morning, December 17, before they had been discovered, they made an attack upon the Indian towns lying on the west bank of the creek. Many Indians fled across the river, others surrendered. Those who fled made resistance, after crossing the river, by firing back across the stream at the whites. Eight Indians were killed and forty-two men, women, and children were taken prisoners. The entire village was burned, with the exception of a house or two in which prisoners were kept. Cattle and other stock were shot. Leaving the infantry to guard the prisoners, Campbell moved farther west, and burned three other villages, killed many more cattle, and took several horses. Then, the troops retraced their journey, reaching the mouth of the Me-to-cin-iah creek on the eve of December 17, and went into camp.

This time their encampment was in the form of a hollow square, with Captain Young and Captain Hopkins on the north, Major Ball's squadron on the west, the Nineteenth United States infantry, Pittsburg Blues, and the Pennsylvania riflemen on the south, and Colonel Simrall's regiment on the east. The prisoners were in the center, where the horses were also tied to the trees. Also a small company of scouts and guides were placed in the center as a reserve.

The encampment was surrounded by practically level ground, very

⁶Lossing, *Field Book of War of 1812*, p. 346.

⁷*Indiana Magazine of History*, III, p. 38.

heavily timbered except for about forty feet down toward the river, where the trees were not so large and the undergrowth much heavier. There was a steep bluff adjacent to the river bank—a stone ledge fifteen feet high. From this point the Indians made their attack.

There is a love story in connection with this last attack. When Joseph Richardville, the proud son of a chief, learned that his sweetheart had been taken prisoner and carried away, he determined to seek revenge and secure his mate at the peril of his life. He secured the help and service of John Godfrey, a warrior of royal blood. Immediately they assembled a council on the night of the 17th, and gathering together their warriors proceeded to attack Colonel Campbell before daybreak on the following morning. It is said that many of the best Indian warriors were away on a hunting trip, and could not be summoned home in time for this attack.

As soon as Colonel Campbell heard the savage yell he gave the order "To arms," and a most desperate conflict commenced, the Indians leading the attack from the undergrowth near the ledge along the river. The exact number of the Indian warriors is unknown, but it has been estimated at between two hundred and three hundred. In any case their force was far inferior to that of the white men. Lieutenant Pierce met his death gallantly. Lieutenant Waltz was shot through the arm, but being unwilling to leave the fight he endeavored to mount his horse, and while making the effort was shot through the head. Lieutenants Basey and Hickman were slightly wounded. The battle raged furiously for about an hour, when the Indians became demoralized and soon, panic-stricken, leaped over the fifteen foot bluff into the river, crossed over, and followed a ravine south about a mile where it emerged from a dismal swamp overgrown with willows and flag. Here they secreted themselves until nightfall, leaving fifteen of their number dead on the field and forty wounded.⁸ The whites lost eight killed and thirty wounded. The horses suffered most severely—the number killed being estimated at from seventy-two to one hundred and forty. Their white bones lay bleaching on the field for many years. As to the soldiers who were slain, it has been said the Indians disinterred their bodies, scalped them and then burned them. This is probably true.

The Indians who were taken prisoners were nearly all Munsies, and were included in those who composed Silver Heel's band. Col-

⁸*Niles' Register*, III, p. 200.

Colonel Campbell sent two messengers to the Delawares who lived on White river, and who had been directed to abandon their towns and remove into Ohio. He repeatedly expressed his regret at having killed some of their people, and urged them to move to the Shawanoe settlement on the Auglaize river. Soon the Delawares with a small number of Miamis moved to Ohio, and came under protection of the United States Government.⁹

Colonel Campbell heard that Tecumseh with five hundred warriors was on the Mississinewa a few miles below. Without calling a council, the commander ordered a retreat for Greenville. He sent a messenger, Captain Hite, for re-enforcements and supplies, for he expected to be attacked on the way. The savages did not pursue. It was a dreadful journey for the sick and wounded, as the weather was bitterly cold. They moved slowly, for seventeen men had to be conveyed on litters. Every night the camp was fortified by a breastwork. At last they met provisions, with an escort of ninety men under Major Adams. All moved forward together, and on December 25, with three hundred men so frostbitten as to be unfit for duty, the little army arrived at Greenville. More than one-half of the corps that a month before had set out on the expedition into the wilderness were now lost to the service for a while. They had accomplished their errand, but at a great cost.¹⁰

This battle had a decisive influence, because it cut off the aid and supplies furnished by the Miamis to the other Indians. It closed forever the war record of that powerful people. The Miamis' warlike spirit was crushed by the experience of that eventful day on the Mississinewa.

By the second article of the treaty of November 6, 1830, the Me-to-cin-iah reservation was established. It began at a point where the Mississinewa river crosses the eastern boundary line of the Big Reserve, thence down this river with its meanderings to Forked Branch, thence north two miles, thence east in a direct line to a point on the eastern boundary line two miles north of the place of beginning, thence south to the place of beginning. It was supposed to contain ten square miles. On November 28, 1840, the government conveyed this land by patent to Meshingomesia and his band.¹¹

Meshingomesia, the last chief of the Miamis, was born near the place where Metociniah creek empties into the Mississinewa river,

⁹Lossing, *Field Book of War of 1812*, p. 348.

¹⁰Lossing, *Field Book of War of 1812*, p. 347.

¹¹*Indian Land Cessions*, p. 774.

and at the place where Colonel Campbell destroyed the first Indian village. He was naturally of a reserved, quiet, and inoffensive nature, and possessed many estimable, moral, and intellectual qualities. After his conversion to the Christian religion he became a steadfast adherent. On Sunday morning it was a common occurrence to see him leading his decrepit wife to his favorite church-house to worship. His body was buried in the rear of the village church, and a marble shaft erected to his memory, containing the following inscription: "Me-Shing-O-Me-Sia, died Dec. 16, 1879, aged about 98 years." He united with the Baptist church, and was baptized the second Sunday in June, 1861, and lived a consistent Christian.

The other Indians relinquished all their lands in Indiana, not held by patent, for the sum of \$550,000. They agreed to leave in five years, but their removal was delayed until 1847.

Thomas Richardville, a Miami, advised the Indians to petition Congress for a division of the land. In reply to this, Chief Meshingomesia told his band the sad result with as much precision as if his words had been prophetic. By Act of Congress approved June 1, 1872, the reserve was partitioned among the bands and patents issued in severalty. The lands were exempted from taxation and were not subject to sale by the owner. As soon as they had gained possession of their land in severalty, they proceeded to contract debts, borrow money, and secure its payment by mortgages.¹² Others contracted marriage with whites who were worthless spend-thrifts. Legal proceedings were instituted against them,¹³ judgments rendered, their lands sold, and they vanished away with even greater rapidity than their forest trees. They became poorer than the least successful white farmers. For example, ten sections of land were reserved to the Pecongga band. Few of their descendants now have anything left, and William Teconya, a grandson, recently asked an old acquaintance for a dime to pay his car-fare to see his brother. All their former lands now belong to white men, with the exception of seventy-five acres.

It will be but a few years until the battleground will be the property of the State and thrown open to the public as a park. In this way the once bloody spot will be a continual reminder of those days when the white men and the red men fought for supremacy in our fair State of Indiana.

¹²*Land Cessions*, p. 775.

¹³*Indiana Magazine of History*, III, p. 36.

REVIEWS AND NOTES

Political Parties in Oregon, 1843-1868. By WALTER C. WOODWARD.
Illustrated. Portland, Oregon. The J. K. Gill Co. 1913. Pp.
xii, 277.

Mr. Woodward, the author of this volume, is teaching in the Department of History and Political Science in Earlham College. He had his graduate historical training in the University of California under Professor H. Morse Stephens and Dr. E. I. McCormac. He was an Oregonian, but he is now an Indianian, and the historical students of Indiana welcome him heartily for the historical work he has done and gives promise of doing.

In the early days of our national life it was readily recognized that the sources of our nation's history were to be found chiefly in the States, in the life of the several distinct political bodies that had united to form the Union. Only by a knowledge of the men, deeds, and institutions of each local political community could be understood the life and spirit of the whole. Students of our national politics to-day are coming again to understand more and more fully the value to our national history of good local studies in the political life of the several States. Each State or section has its special interest, its special influence on the life of all, and each makes its special contribution to the story of our common growth. Qualified students of our history are devoting themselves to special studies in State history and are thus presenting valuable contributions to national history. As illustrations of this we may mention the three extensive volumes recently published on the *Political History of the State of New York*, by Mr. De Alva S. Alexander, and the more recent *Political History of the State of New York*, by Homer A. Stebbins. The history of State politics is replete with subjects for monographic studies. Professor Woodward, of Earlham, brings us one on the political history of Oregon from the beginning of the final diplomatic struggle for the possession of the Oregon Country to the close of Reconstruction. He relates the local story forcibly, connecting it up pertinently with our national history. He discusses the principle and basis of local self-government; the organization of the new Territory; its control under the Democratic regime; the influence of the sectional discussions over slavery in con-

nection with the Kansas-Nebraska excitement and the other controversies preceding the Civil War; the effect of the political change of 1860; and the issues of the Civil War and the struggle for the Union. "Old Joe Lane," of Indiana, the first Territorial Governor of Oregon, was a prominent character in this story. Lane became a pronounced pro-slavery man in active sympathy with aggressive Southern leaders who were urging on the extension of slavery. The general reader will be surprised to learn, as he may from Mr. Woodward's pages, that the Federal official class were exerting their whole influence in favor of the introduction of slavery into Oregon, in the days of James Buchanan. Lane, elected to the United States Senate upon the admission of Oregon into the Union, was aiding and abetting these efforts, and it was this record that led to Lane's nomination for the Vice-Presidency on the Southern Democratic ticket with Breckinridge in 1860. Lane was popular in Oregon and the Breckinridge-Lane electors came within less than 300 votes of carrying the State against Lincoln. Lane was an avowed Secessionist. He commended the South for its disunion policy and he hoped that Oregon would leave a Union that denied "equality and protection" to the States, and help to set up a "Pacific Republic." This policy ended Lane's popularity in Oregon as the majority there were for the Union and against slavery, and the "Copperhead" speeches of Lane could not turn the tide. Union Democrats and Republicans combined in 1861 to place Col. Edward D. Baker, another prominent national character from Oregon, in the United States Senate to counteract the influence of Lane, and Oregon became a pronounced Union State.

Professor Woodward presents many other interesting connections between Oregon and national politics in his valuable book. The volume will bring him credit and, as has been intimated, it will serve well to illustrate the rich field that is open to students of our national politics. Many good subjects corresponding to this worthy work on Oregon politics and many inviting periods are awaiting the willing and capable workers in Indiana history. The field will be entered more and more in the near future. Young men and women in our college and university historical seminaries are turning their attention in this direction for new themes for their doctoral dissertations. It will be found to be a profitable field and the result will be the production of much good material, which will prove of value to the future historian of the State as well as of the country at large.

J. A. WOODBURN.

History of Cass County, Indiana, from its Earliest Settlement to the Present Time. Edited by DR. JEHU Z. POWELL, President of the Cass County Historical Society. In two volumes. (Chicago: The Lewis Publishing Company. 1913. Pp. 1207.)

The author of a county history in the Middle West has a pretty strong initial prejudice against him to overcome. So much work of this kind has been done, and is being done now, for purely commercial purposes, that one who does valuable and serious work in this field is likely not to be appreciated. In this money-making era it is hardly believable that a sane man would deliberately devote valuable time to preserving local history. Nevertheless there are a few of that kind of rare souls left. When we get tired running each other down with our trains and automobiles we will turn with gratefulness to the men who have preserved our early history for us.

Dr. Powell was fortunate in having a county history to write which is so full of interest as is that of Cass. He was fortunate again in having the great collections of Lasselle and Biddle to draw on. There are few counties that have their historical source materials so well preserved as is the case with Cass county. The men of Cass have not kept their lights under a bushel. Four of her citizens were United States Senators at various times; three sat in the national House of Representatives; eight colonels in the Civil War came from homes in Cass county; and at least ten State officers have been chosen from within her boundaries. The greatest of our state historians, a score of editors of State reputation (one of them the pioneer of Northern Indiana), to say nothing of thirty or more writers of more or less fame—all these have made Cass county and Logansport an important place in State history. Dr. Powell has given us the local history of these men, and has thus done a valuable service for State and national history.

The grandfather of the author was one of the early settlers of Cass county, moving there from Ohio and Pennsylvania. The author is a graduate of the University of Michigan. Having been a resident of the county since his birth, in 1848, Dr. Powell has been able to give us a plentiful supply of the traditions that have been handed down from the early days. Among these are many from French and Indian times, together with others from canal days, the Underground Railroad, and Civil War times. One feels that more attention should have been paid to the Wabash commerce, so graphically set forth in the old *Canal Telegraph*, *Pottawattomie Times*,

the early *Pharos*, and the *Journal*. One also misses the "news" of the "Treaty Grounds,"—the fierce political feuds between Tipton, the Ewings, and Lasselle, and later between Bringham, Fitch, and the Civil War politicians. However, these topics concern State and National history, and perhaps the author has done wisely in leaving them out.

The second volume is devoted entirely to biographies. Accounts of all the churches, cemeteries, schools, newspapers, lists of county and city officers, lists of professional men, are given in connection with these. A good index makes the contents of the volumes accessible. The volumes carry very little surplus material; but discussions of mound builders and kindred topics add little to a county history except avoidupois. In honorable distinction from some county histories recently published, the one under consideration does not duplicate or copy former histories of the county. The illustrations are appropriate, and add materially to the value of the work. A fairly good bibliography is given, and the author's sources are usually indicated.

LOGAN ESAREY.

The Mennonites of America. By C. HENRY SMITH, Ph.D. Illustrated. (Scottsdale, Pa.: Mennonite Publishing House Press. 1909. Pp. 484.)

Dr. Smith traces the history of the Mennonites from their origin in Europe down to the present time. With reference to their origin it is enough to recall that they are descended from the Anabaptists who arose in Europe during the early part of the sixteenth century, and that the name Mennonite is derived from Menno Simons (1492-1559), a notable leader of one branch of the Anabaptists. The author says in his preface that he has attempted "to cover the entire field of American Mennonite history and tried to place every event of importance in its proper perspective." The eighteen chapters of the book cover every phase of the church's history, and show that the author has done a great amount of research work.

The first Mennonites came to America from Holland and Germany in 1683, and settled at Germantown, Pennsylvania. The one hundred and twenty who came over were "mostly mechanics and linen weavers 'and not much given to agriculture.'" The second Mennonite colony was established at Pequea, Lancaster county, Pennsylvania, in 1710, about sixty miles out of Philadelphia. Smaller communities were gradually established in the State, and by

1800 Mennonite settlements were found in Maryland and Virginia also.

The Mennonites gradually split into many different branches. Even after recent concerted efforts to unite various branches, the author states that there are thirteen different organizations to-day which should be classed as Mennonites. Probably the most important of the branches, with the exception of the "Old Mennonites," is the Amish branch. This derives its name from Jacob Amman, a Mennonite preacher of Switzerland, who began preaching about 1700. He advocated the most conservative principles, and among other conservative customs required among his followers the use of hooks and eyes instead of buttons on the clothes of men. The Amish began to come to America in the first part of the eighteenth century. They settled first in Pennsylvania, the largest settlement being in Lancaster county. In this locality is still the most important Amish community, having in 1900 an estimated membership of about eleven hundred persons. There are also prosperous Amish communities in Indiana, in Lagrange, Elkhart, Noble, Newton, Jasper, Howard, Miami, Allen, Daviess, and Brown counties. Their combined membership in Indiana is about six hundred. Amish communities exist also in Ohio, Illinois, Iowa, New York, Missouri, Nebraska, and Kansas.

During the Revolutionary War the Mennonites were generally opposed to the war, not because they favored England, but because they were opposed to all war on religious grounds. For the same reason they came into conflict with the government in the War of 1812, and in the Mexican and Civil Wars. Their whole career in America has shown that they care very little for politics in any form, and as a result, in those communities where they predominate, it is very seldom that any member of the church holds a public office. As the author says, they take "little interest in government and the affairs of the outside world."

The chapter on "Principles, Customs, and Culture" is one of the most interesting in the book. The author says that the Mennonites, "in faith, in doctrine, in religious practice, and in the social spirit, differ little from their ancestors,"—the Anabaptists of 1600. Their doctrines embrace "non-resistance, non-swearing of oaths, non-participation in civil government, rejection of infant baptism, and seclusion from the world." They stand for complete separation of state and church, and universal peace. Among their religious cus-

toms we find feet-washing, wearing of some kind of head covering by women during church service, bonnets for women at all times, and collarless coats for men. They insist on all clothing being "exceedingly plain and modest," and this fact leads those of one branch to use the expression "turned plain," as meaning to join church. However, there are many members now who have adopted more modern forms of dress.

Until recently the Mennonite church has been opposed to higher learning, but educated leaders began to see that the church would play an insignificant role in the religious world if this opposition should be maintained. Their first school for higher learning was a theological seminary established at Wadsworth, Ohio, in 1868; but this institution died within ten years from lack of patronage. The second attempt was made at Halstead, Kansas, in 1882. This school was moved to Newton, Kansas, in 1893, and its name changed to Bethel College. In 1907 it had ten instructors and 121 students. Two other schools of higher learning have been established since then. Goshen College (Indiana) was started in 1902, and in 1908 had twelve instructors and 306 students. In 1909 another school was started at Hesston, Kansas, which has made a prosperous beginning.

In a chapter on "Literature and Hymnology" Dr. Smith states that most of the literature of the church has been produced in Europe. Practically all the literature of the members of the church has been of a religious character. All the early hymnals were without written music. Later books used notes, and a typical Mennonite hymn, words and music, is given by the author on pages 438-439.

In the final chapter the author attempts to classify the various branches of the church in America, with their approximate membership. He lists thirteen separate branches with a total membership of 68,435. In conclusion the author says: "The Mennonites of all classes are still almost entirely a rural people. Very few congregations are found in the cities." "The two questions of most vital importance to the future of the church are its relation to the unification movement, and to the question of a more liberal education for its young people."

The author gives a tabulated bibliography of two hundred and twenty-four volumes. The best collection of Mennonite literature is in the private library of John F. Funk, of Elkhart, Indiana. The

files of the *Herald of Truth*, of Elkhart, the official church paper, furnished the author with much valuable material.

This book is a distinct contribution to the history of our country, in that it gives a most interesting view of a religious people about whom usually very little is known. The Mennonites were pioneers in settling many parts of the United States, and their history should be of interest to the student of general American history, as well as to those engaged in the study of localities in which adherents of this faith reside.

E. V. SHOCKLEY.

Gibson County in the Civil War. Colonel Gil R. Stormont has set a good example in publishing his address, *Gibson County in the War*, delivered at the dedication of the Gibson County soldiers' monument at Princeton, November 12, 1912. This monument stands in the courthouse square at Princeton and is one of the most beautiful in the State. The first company that enlisted from the county became Company H of the Seventeenth Regiment. Gibson County also contributed men to the Twenty-fourth, under Colonel Hovey at Vincennes; to the Fourteenth, under Colonel Kimball at Terre Haute; and to the Twenty-fifth, under Colonel Veach at Evansville. Companies were also enlisted from the men of Gibson which joined the Thirty-third, the Forty-second, the Fifty-eighth, organized in Princeton; the Sixty-fifth, also organized at Princeton; the Eightieth, the One Hundred and Twentieth, the One Hundred and Thirty-sixth and the One Hundred and Forty-third. One realizes the terrible sacrifice of the war when he learns that over twenty companies of the best men of the county enlisted. There were none drafted. The county paid in bounties \$104,014, and to the soldiers' families \$20,227. The pamphlet also contains pictures and accounts of the monument to Company F of the Forty-second Regiment at Oakland City, and the monument to the Fifty-eighth at Princeton. Full page plates of the Gibson County monument and of Colonel Stormont are included.

VALLONIA, the first county seat of Jackson county, celebrated its centennial August 13-14. The French made the first settlement in the county at Vallonia, but the first permanent settlements were made by men who came from the Ohio River Falls at Jeffersonville. There is a tradition that one of Aaron Burr's co-conspirators, Aquilla Rogers, built a cabin in Vallonia in 1807. At least there is

an old cabin still standing in the village known as the "Aaron Burr Cabin." Vallonia had a blockhouse during the War of 1812, and the county saw considerable fighting with the Indians. Vallonia was the county seat for about a year, the court being changed to Brownstown in November, 1816.

THE Centennial Celebration of New Albany will be held during the week beginning October 12. One hundred years previous to that date Joel and Nathaniel Scribner landed at the site of the present town and later laid off the town. They purchased the land of John Paul, who had entered it at the land office at Vincennes. It is said that Paul decided to leave the place on account of a dense fog which hung over the place when he landed, and which he thought was caused by the Falls of the Ohio river nearby. Paul went on up the river and founded Madison. The first town lots in New Albany were sold at public auction on the first Tuesday and Wednesday of November, 1813. A part of the receipts, amounting to \$5,000, was set aside for schools. This was the origin of Scribner High School. In the period from 1848 to 1860 New Albany was the commercial metropolis of Indiana. It was incorporated as a town in 1814 and as a city in 1839. P. M. Dorsey was its first mayor. The city has furnished a number of men of State and National fame, among whom Governor A. P. Willard and Speaker M. C. Kerr are most prominent. New Albany is entitled to a worthy celebration, which no doubt it will have, if we may judge by the men in charge of the movement.

CENTENNIAL Anniversaries, it may be noted, will be in order in a number of towns of southern Indiana within the next two or three years. Rising Sun, Ohio county, was settled in 1814 by A. C. Pepper, S. Hathaway, Hugh Espey and a few others. Carlisle, Sullivan county, was laid out in 1814 by James Sproul. Vernon, Jennings county, was started in 1815 by John Vawter. Vevay, Switzerland county, was laid out in 1815 by three brothers, J. J., J. F., and Daniel Dufour. Evansville was first settled in 1816 by Hugh McGary, and was named after General Robert M. Evans, one of the original proprietors. Brownsville, Union county, was laid out in 1816 by James Conway, John Smith, and Elijah Holland. Richmond, Wayne county, was settled by Jeremiah Cox and John Smith in 1816. Brownstown, Jackson county, was laid out in 1816, William Williams, John Milroy, and John Ketcham being among its first

settlers. Terre Haute was laid out in 1816 by a company called "The Terre Haute Company." This company consisted of Cuthbert and Thomas Bullitt, of Louisville, Kentucky; Abraham Markle, of Fort Harrison; Hyacinth Lasselle, of Vincennes; and Jonathan Lindley, of Orange county, Indiana. Their articles of organization bear the date of September 19, 1816.

A number of towns in Indiana have already had centennial celebrations and they have proved to be very interesting occasions. These celebrations do much toward arousing an interest in local history. It would be an excellent idea to have the best qualified person in each community compile a history of the town. The Indiana Historical Survey will be glad to co-operate with the local authorities in planning the preparation of such local histories.

THE celebration of the centennial anniversary of the admission of Illinois to the Union, which will come in 1918, is already well under way. The commission having the project in charge announced its plans August 28. These include, as do the plans for Indiana, a memorial building for the records of the State. Senator Keller heads the committee having the building project in charge. Another part of the celebration is the erection of statues of Lincoln and Douglas at Springfield. A third part of the work will be the preparation of a history of the State, setting forth in detail its economic, political, and sociological development. This work will be done by a commission of scholars from the universities and colleges of the State. Dr. G. L. Smith, author of a school history of Illinois, is chairman of this committee. A basis for such a history has been laid in the admirable series of documentary collections published in recent years by the Illinois Historical Society, the Illinois State Library, and the University of Illinois. Besides the foregoing enterprises the celebration will include many elaborate spectacular events, such as games, parades, pageants and receptions. The committee, legislature, and citizens are very enthusiastic. It is hoped that Indiana may catch the inspiration of this movement, and carry to completion the plans outlined for the celebration of its centennial in 1916.

DR. ARTHUR H. WOODWORTH, of Easton, Pennsylvania, has succeeded Professor A. M. Hadley in the chair of history and political science at Hanover College. Professor Woodworth received his A. B. degree from Lafayette College in 1904, his A. M. from Chi-

cago University in 1912, and has completed his work for the Ph.D. degree at Chicago, where he has held a fellowship for the last two years. He has had experience in both college and high school teaching.

PROFESSOR LEONARD succeeds Charles A. Tuttle as professor of Political Economy at Wabash College. Professor Tuttle leaves after a continuous service of twenty years to accept a similar position at Wesleyan University, Middletown, Connecticut. He spent this summer teaching at Indiana University. Professor Leonard is a graduate of Yale University, where he taught for some time. More recently he has been teaching at Ohio Wesleyan, Delaware, Ohio.

PROFESSOR ELLWOOD W. KEMP, Professor of History in the Indiana State Normal School for more than twenty-five years, is on leave of absence till June 30, 1914. During Mr. Kemp's absence Mr. W. O. Lynch, Assistant Professor of History in the same institution for the past few years, will serve as head of the department of American History. Mr. Charles Roll has been chosen to fill the position made vacant by the promotion of Professor Lynch. Both Mr. Lynch and Mr. Roll are graduates of Indiana University; each holds a master's degree from Wisconsin University; and each has done further graduate work—Mr. Lynch at Harvard, and Mr. Roll at Wisconsin.

PROFESSOR AMOS S. HERSHEY, of Indiana University, now on a year's leave of absence, has been attending the International Peace Congress at The Hague, and on September 29th he attended the notable dedication of the Peace Palace in that city. During the ensuing weeks he will attend the sessions of the International Parliamentary Union. Professor Hershey has attained prominence among publicists in the field of international law and diplomacy. He will spend some time in the Orient before returning to America. An interesting article on "The Peace Palace at The Hague" appears from Professor Hershey's pen in the *Independent* for September 18, 1913.

ERNEST M. LINTON, a graduate of Butler College, sometime a Fellow in Political Science in Indiana University, will be Instructor in Political Science at Indiana during the absence of Professor Hershey. Mr. Linton acted as mentor and guide to a party traveling in Europe during the past summer. He is an experienced and successful conductor for parties "doing" Europe in a brief season.

THE NEW YORK NATION gives the following worthy recognition to the work of the Iowa State Historical Society, which offers an example which Indiana might well emulate :

"There is one State in the Union, at least, that has so organized its activities in historical research as to promote the greatest industry in publication ; and that State is Iowa. Under the general superintendency of Prof. Benjamin F. Shambaugh, the State Historical Society turns off volume after volume, series after series, in the greatest profusion ; and the most amazing fact is that a relatively high standard is maintained. The two latest volumes are intended to supply the need of the Legislature of the State with facts for their guidance in future legislation. The Society is developing into a kind of historical reference bureau. Mr. John E. Brindley, in his *History of Road Legislation in Iowa*, treats his subject chronologically, from the time when plank roads were popular down to the present-day movement for good roads. The second volume is the *History of Work Accident Indemnity in Iowa*, by E. H. Downey. This is a general treatise on the law and economics of the subject and is well done. As is the case with all the volumes from the Iowa Historical Society, the printing and binding are excellent. Each volume has an analytical index ; but the arrangement of the notes and references at the end of the volume is most inconvenient for the reader, and should be abandoned in future publications."

It is interesting to note that twenty-four members of the present Congress—five Senators and nineteen Representatives—were born in Indiana. Adding to this number Vice President Marshall, who is a Hoosier by birth, Indiana has twenty-five of her native sons in the National law-making body. The following United States Senators were born in Indiana: John D. Works, California, born in Ohio county, March 29, 1847; William H. Thompson, Kansas, born at Crawfordsville, October 14, 1871; Moses E. Clapp, Minnesota, born at Delphi, May 21, 1851; Benjamin F. Shively, Indiana, born in St. Joseph county, March 20, 1857; John W. Kern, Indiana, born in Howard county, December 20, 1849. The following Representatives were born in Indiana: William E. Humphrey, Washington, born at Alamo, March 31, 1862; W. W. Bailey, Pennsylvania, born in Hendricks county, January 8, 1855; Dick T. Morgan, Oklahoma, born in Vigo county, December 6, 1853; Daniel V. Stephens, Nebraska, born in Bloomington, November 4, 1868; Burton L. French, Idaho, born at Delphi, August 1, 1875; Frank Buchanan,

Illinois, born in Jefferson county, June 18, 1862; Joseph W. Fordney, Michigan, born in Blackford county, November 5, 1853; W. A. Cullop, Indiana, born in Knox county, March 28, 1853; W. E. Cox, Indiana, born in Dubois county, September 6, 1865; Lincoln Dixon, Indiana, born at Vernon, February 9, 1860; Ralph W. Moss, Indiana, born at Center Point, April 21, 1862; Finley H. Gray, Indiana, born in Fayette county, July 24, 1864; Charles A. Korbly, Indiana, born in Madison county, March 24, 1871; J. A. M. Adair, Indiana, born in Jay county, December 22, 1863; Martin A. Morrison, Indiana, born at Frankfort, April 15, 1862; John B. Peterson, Indiana, born in Lake county, July 4, 1851; George B. Rauch, Indiana, born in Huntington county, February 22, 1876; Henry A. Barnhart, Indiana, born at Twelve Mile, September 11, 1858.

Vice-President Thomas R. Marshall was born at North Manchester, Indiana, March 14, 1854. Two of Indiana's Congressmen are not native sons. Cyrus Cline was born in Richmond county, Ohio, and John Lieb was born in Flehingen, Germany.

THERE are one hundred and forty-five public libraries in Indiana at the present time and yet there are ten counties in which there is no public library at all. The biennial report of the Public Library Commission shows the following counties without libraries: Brown, Crawford, Dubois, Jennings, Ohio, Pike, Scott, Starke, Switzerland, and Warren. The Report says that more than 1,000,000 persons in Indiana are without access to libraries. It is hoped that the branch libraries provided for by the new law will soon overcome this condition. Fifty-three towns and cities already having libraries have arranged to co-operate in providing service for the whole county in which each is situated.

THE postage rates of the present time were not enjoyed by the men who made the first Constitution of Indiana in 1816. The Vincennes *Western Sun* of May 11, 1816, gives the postal rates which went into effect May 1, 1816. They were as follows: Up to 30 miles, 6 cents; 30 to 80 miles, 10 cents; 80 to 150 miles, 12½ cents; 150 to 400 miles, 18½ cents; 400 miles and above, 25 cents. These rates were for single sheet letters. "Double letters," that is, letters of two sheets, were double the above schedule; "triple letters" or letters of three sheets, cost three times the above rates; while "packets," or letters of four or more sheets, cost four times as much.

HON. JOSEPH GILBERT, whose death occurred recently on his farm near Terre Haute, had preserved a valuable collection of newspapers and other documents of historical value. These papers were generously donated by his heirs to the Indiana State Normal Library, the Fairbanks Memorial Library of Terre Haute, and the Indiana University Library. Files of the *Cincinnati Gazette*, and the Indianapolis *Sentinel*, the *Prairie Farmer* (Chicago), and the *Indiana Farmer* (Indianapolis) went to the State Normal Library. Files of the local papers, except the *Terre Haute Gazette*, went to the Fairbanks Memorial Library. The *Terre Haute Daily Gazette* was given to the Indiana University Library. Some idea of the amount of material in the whole collection may be gained from the fact that the file of the *Terre Haute Daily Gazette*, when boxed, weighed over a ton. The files of these papers run back to the Civil War time. The gifts make a very fitting memorial to Mr. Gilbert, and are the outcome of an awakening appreciation of local history which promises well for the future.

A VALUABLE gift of books and papers from the library of Dr. T. A. Wylie was presented to Indiana University Library by the heirs. Dr. Wylie was professor of Natural Philosophy in the University for nearly a half century. His widow recently died at a very advanced age. Her one hundredth birthday was celebrated last year. She came to Bloomington a bride in 1837 and had lived here continuously until her death last June. The books and papers in question constitute an important source of historical and biographical information relating to Indiana.

THE article in this number by Superintendent W. C. Gerichs is one of a series of papers on the political history of Indiana prepared by research students in the historical seminary of Indiana University. A number of these will appear from time to time in the pages of this magazine.

SOME memoirs of the Polke family of Indiana, written about 1886 by the late Elder James Polke, of Knox county, are in the hands of the editor and will appear in the next number. A tabular genealogy of the Polke family in Indiana, and its connections, is being worked out and will accompany the paper. Aside from its historical interest, it is believed that the paper will be found to possess considerable genealogical importance.

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LOCAL LIFE AND COLOR IN THE NEW PURCHASE

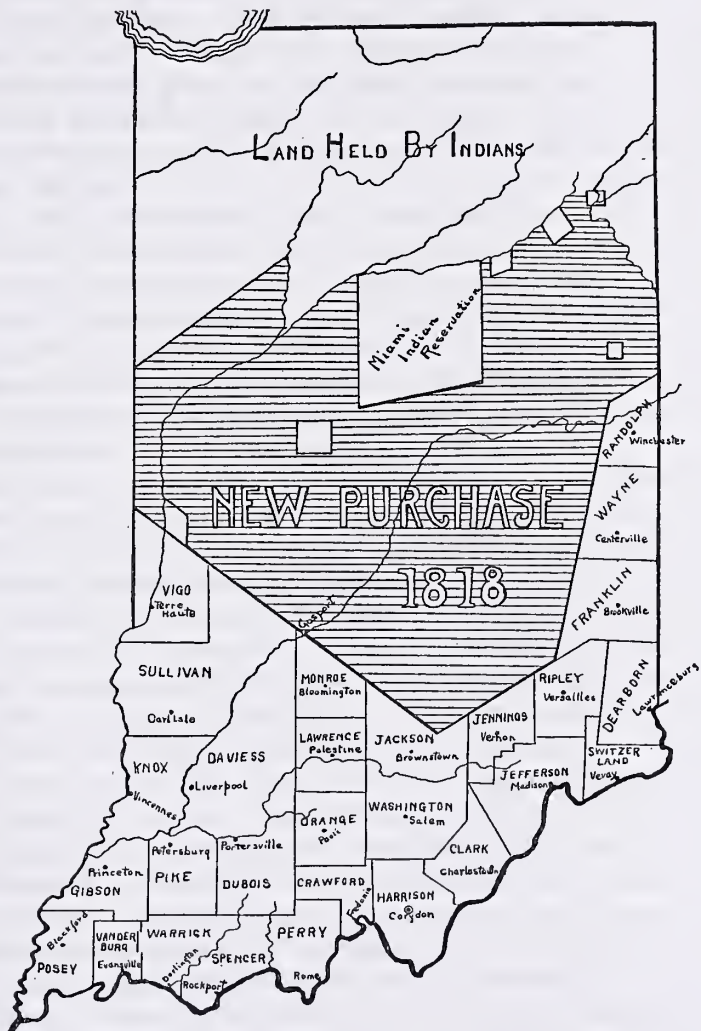
By JAMES ALBERT WOODBURN, Professor of American History and
Politics, Indiana University

[This paper was prepared for the History Society of Wabash College and was read before that organization on the evening of June 9, 1913. It was also read before the Teachers' Institutes of Jennings and Miami counties, and before the Monroe County Historical Society.]

I N 1818 the United States Government obtained by treaty with several tribes of Indians what is known in Indiana history as the "New Purchase." The land came from the Pottawatomies, the Miamis, the Delawares, and a few other tribes, and a lump sum of \$13,000 and perpetual annuities in silver money of over \$8,000 were offered in return. No doubt this silver came in handy to the traders at Indian posts who afterwards had gewgaws, dry goods and wet goods to offer to the Indian braves and their squaws, who, though most of their people were passing beyond the "Father of Waters," were still lingering in the favorite hunting grounds and around the graves of their warriors and chieftains in this Hoosier country. This "New Purchase" was a tract of land bounded on the north and west by the Wabash river; on the southwest by what is known as the "eleven o'clock line," a line going in the direction a shadow would fall at eleven o'clock forenoon, and running from the center of Jackson county to a point on the Wabash near Clinton. Thirty-seven counties have since been made, in whole or in part, from the lands embraced in this purchase. When the Indian titles were extinguished and the new lands were opened to settlement the immigrant tide of humanity began to pour in. The Government land was offered at \$2.00 an acre. It was lowered to \$1.25 after 1820 and thus was followed the wise policy of encouraging settlement. The credit system had been put into operation in 1801, by which a settler who could not pay cash for his land might enter it and pay for

it by installments after he had settled upon and begun to work it. The homestead policy instituted later was even more liberal to the homeseeker, but the fact that one could preempt land and have a chance finally to own it in fee simple brought many enterprising and hopeful men to a region which was looked upon as an Eldorado, if not of gold and silver, at least of rich and productive lands. Some shiftless and "onery movers" came who, it seems, expected the land to support them without much work. Some had not yet got a start in worldly goods; others after starting had been set back in the contraction and hard times following the War of 1812. They had risked their capital during the War in the manufactures of that era and when peace came and English imports again poured in they were ruined. The tragic and woful panic of 1819 sent jobless workmen and landless and bankrupt debtors to the West in droves and the New Purchase received its share of the hardy and worthy pioneers who were coming to the West to seek out new fortunes and to grow up with the country. These people were mostly poor; many of them were ignorant; but most of them were men and women of the fundamental virtues,—courage, honesty, hospitality, and a sense of honor; and many of them were hard headed and far seeing enough, as they began to take up government land, to follow the suggestion of Mandy Means to her old man,—to "git a plenty while you are gittin'." So this purchase opened up to settlement on easy terms a large strip of virgin soil. Indiana was then only two years old as a State. It contained a population of about 70,000, practically all of whom were below the old National Road.

Two years later, in 1820, the Legislature at Corydon created what was named in the act as "The Indiana Seminary," which in 1828 became the "Indiana College," and in 1838 the "Indiana University," by legal title. The creative act of 1820 was saved in the State Senate only by the casting vote of the Lieutenant Governor, Ratliff Boon, and it was signed by the first Governor of the State, Jonathan Jennings. Six trustees were appointed and they selected a site for the Seminary, a quarter of a mile due south of Bloomington on a beautiful eminence and convenient to an excellent spring of water. It seems that springs of living water were in those days essential features to a settlement, and the settlers and movers kept moving until they found one. Log cabins, whether of hewed logs or round, could be put up in short order by the pioneers in those days, but it took three years to erect the two small brick



INDIANA IN 1818, INCLUDING THE NEW PURCHASE.
PREPARED BY DR. E. V. SHOCKLEY.

buildings with which the Seminary began,—one a house for a professor at a cost of \$891, the other the Seminary building itself 60x30 feet at the elaborate cost of \$2,400.

The old State Seminary opened its doors for students in 1824. In the fall of 1823, as the buildings were nearing completion, the first professor was elected. He was a young man who had appeared in Indiana, like a star out of the East, a short time before and he was now placed in charge of the young Hoosier hopefuls who were seeking to qualify for the college benches in this rustic school in the wilderness. The young man was Baynard R. Hall, a Presbyterian clergyman, a graduate of Union College, and of Princeton Theological Seminary. He had been living for about a year with his brother-in-law and other friends on White River near Gosport, and there he had entered with spirit and sympathy into all the life of the backwoods. He had become a skilled marksman with the rifle; he learned the art of rolling logs; he had become a skilled and practiced hand at the wood choppings; he learned the manners of the quilting parties; he had become an interested spectator but never a participant at the pioneer camp-meetings; he clerked in a country store, ground bark in a tannery, driving "Old Dick" on the tread-mill; he preached some; and, according to his own testimony he was "the very first man since the creation of the world that read Greek in the New Purchase,"—which, of course, is doubtful, as some Jesuit Fathers had been in this region, and other Protestant ministers versed in the classics had set foot in these parts. But Hall, no doubt, was an excellent classical scholar, and as Professor Wylie says, "a persuasive and sometimes eloquent preacher." He now accepted a teacher's place in the new Seminary at the munificent salary of \$250 a year,—the year consisting of two terms of five months each,—the fees to the students being five dollars a term. This scholar had accepted the appointment, not for the paltry salary attached, but wholly because he longed to be in the romantic West and among its earliest literary pioneers. His labors showed forth his enthusiasm and his missionary zeal. Five and six hours a day were usually spent in the recitation room. He always preached twice on Sunday and usually several times during the week and his ministrations to the sick and the dying were additional burdens to the flesh.

This young man of college culture—of "book larnin," as his neighbors would say,—lived in our new country almost a decade of years and after he had gone back to his home in the East he

wrote about what he had seen and heard, a book which is well known to those who have studied early Indiana history. It is called *The New Purchase, or Seven and a Half Years in the Far West*,¹ the author appearing under the pseudonym of Robert Carlton. I feel that I am justified in calling this an immortal book to Indianians, and an enduring memorial to the name of its author. I say this not because of its literary excellence, nor because of the human interest attaching to its stories, as some of them may be more or less fictitious and exaggerated; nor do I say so because this is a book well known to fame. Comparatively few people know anything of it. But I call it an immortal book because it contains valuable history of this Hoosier land in its early beginnings; because it relates in graphic and racy style personal adventures, western scenes and character, college jealousies and dissensions, the state of popular culture, or lack of culture, and various incidents in the life of this new country in early days. It will, therefore, live as long as interest in early Indiana history lives and we certainly believe this interest will prove immortal.

Here was a young man, a transient dweller in the land, who had eyes to see, with a social and cultured background, with a power to discriminate and to distinguish the significant; and above all he had the virtue of intent and industry (for which Heaven be praised!) to write down what he saw and understood, to preserve it for us, for history, and for posterity. I have had a copy of that book for twenty years,—of the first and valuable edition, published by the Appletons in 1843.² And while I have repeatedly looked into it and have known something of its contents, it was only a few weeks ago that I read it with care,—since the recent revival of interest in Indiana history. It is not my purpose to review its contents, nor to estimate its merits; but rather to draw from it and from a few other sources some account of local scenes and color in Hoosierdom of nearly 100 years ago.

Hall says that weary of a prosaic life in the East he came west to find a life of poetry and romance amid the rangers of the woods. He found poetry here, as well as a mission. In his day-dreams he heard the call of the wild, and felt the resistless invitation to an enchanting land in what was then known as the "Far West." He confesses to the ambition to be numbered among the literary pio-

¹ Published by D. Appleton & Co., New York, and George S. Appleton, Philadelphia, 2 vols., 1843.

² A second edition was published by John R. Nunemacher, of New Albany, in cooperation with D. Appleton & Co. and J. B. Lippincott & Co., in 1855.

neers of this Hoosier land. That ambition he has realized. One wonders whether he had an Abrahamic vision and promise of a literary progeny that was to be, as we have seen, like the sands of the sea for the multitude.

Hall had suffered deep domestic affliction in the loss of children, and he had encountered sore disappointment in the utter crushing of his high hopes and purposes. So the new West was to be a new life to him. He affirms that he came influenced by disinterested motives, fired with enthusiasm for advancing solid learning, desirous of seeing western institutions rival those of the East, willing to live and die in the new country. to sacrifice eastern tastes and prejudices, and to become in every proper way a western man. College jealousies and quarrels were destined to cut short these hopes and expectations—which may serve to remind us again that there is a great deal of human nature in men, and even among college professors in their missionary labors. So Mr. and Mrs. Hall, lured partly by the spirit of romance and adventure, were persuaded to exchange the tasteless and crowded solitude of Philadelphia for the entrancing and real loneliness of the wilds,—the promenade of dead brick for the living carpet of the natural meadow.

From Philadelphia to Pittsburgh was a journey of several days. But the Halls would not travel on the Sabbath. So it was arranged that they should start early Monday morning at 3 o'clock. But the porter of the stage office aroused them at 1 o'clock, and at this wee small hour of the morning they followed their man to the stage coach office, the man trundling their luggage in an antiquated wheelbarrow. Such were the conveniences and pleasures of travel in the days before the rail.

The traveler describes the stage coach of his day,—a lumbering thing, with its rack, its cramming, and jamming, and bumping, its lurches and its plunges,—a crazy, rattling, rickety old machine, swaying and jolting until its passengers were bruised and mellowed into a quaking lump of silent sullen victims. The winged horses moved nearly three miles per hour. They stopped at watering places, letting-out places, letting-in places, grog stations and post offices,—all stops giving them the flavor of the stable with the smell of gin and apple whiskey, with the fragrance of cigars that were bought six for a penny. There were the fumes of peppermint, too, and of spicy ginger bread and unctuous cold sausage.

From Pittsburgh the Halls came down the Ohio to Louisville.

They started overland from the Ohio on a two-horse Yankee cart, with what was called their "plunder," to find the seat of learning on the edge of the New Purchase about 120 miles from the river. Here was their first lesson of forest travelling,—in "butter-milk land," "spouty land," "marshland," "rooty and snaggy land," of mudholes, and "corduroys," of single and double twill, through the fords of streams with, and without, bottoms. It was in early spring when concealed rivulets bubbled up where none were supposed to lurk; when creeks were turned into rivers and rivers into lakes and lakes into larger ones. Travelling by land became travelling by water; that is, by mud and water. So if one were to avoid drowning he had to follow the blazed road. That is, he had to *tack*, to find, not a road, but a place where there was no road, untouched mud thick enough to bear, or that had some bottom to it. The "good roads movement" is a modern development and you may be sure that our fathers in their attempts at travel put up with a good deal in the way of discomforts and inconveniences. To make a State from primitive conditions is no small enterprise.

On the second day by incessant driving the Halls made *twenty miles* by sunset, or a mile and a half an hour, and then found that it was still three miles to the next tavern by way of the blaze, but by a "most powerfulest road," as an old settler told them. Instead of pressing on by dark they staid for the night at the cabin at which they had stopped to inquire,—a veritable cabin in the forest amid the deafening clangor of innumerable rude frogs in the mires, and the whirl and hum and buzz of strange savage insects and reptiles; amid chilly and damp and foetid vapours, the only open field being the *clearing* filled with trunks of deadened trees and great stumps blackened by the fires.

Hall describes the cabin as "a barbarous rectangle of unhewed and unbarked logs," bound together by gigantic dovetailing called notching. The roof was of rickety shingles, called *clapboards*, which when *clapped* on were held down by longitudinal poles kept apart by shorter pieces placed between them perpendicularly. The interstices of the log wall were "chinked," the chinking being large chips and small slabs dipping like strata of geologic rock, and then on the chinking was the daubing,—a yellow clay ferociously splashed in soft by the hand of the architect and then left to harden at leisure. Rain and frost had here, however, caused the daubing to disappear so that from without could clearly be discerned the light of fire and

candle, and from within the light of sun, moon, and stars, a very fair and harmless tit for tat.³

The cabin had one room, a loft above, but with no visible ascent. The room contained beds chiefly, a table, "stick chairs," and some stools with two or three legs apiece. Over the mantle were the rifles and the powder horns. About the fireplace was the iron ware,—the kettle, the pot, the skillet, and the Dutch oven. One of these primitive log cabins might have been erected for ten dollars. The labor counted for nothing; no one was paid,—except by exchange of labor at house raisings. The cabin enclosed a space perhaps 20 feet square. Neither nail nor spike entered into the structure. The door,—no real cabin had more than one,—had been hung, not with iron, but with broad hinges of tough bacon skin. These the dogs of the place, and they were always numerous, smelled and gnawed clear off. Then came half-tanned leather for hinges; then wooden hinges. It was not an iron age, nor a region of imported manufactured goods. The problem of transportation had yet to be solved.

There were several kinds of log cabins. First, the *scotched* order. In this the logs were hacked longitudinally, a slice being taken from one side, the primitive bark being left on the other sides. Second, the *hewed* order, in which the logs were dressed on four sides. Third, the rough *stick-out-corner* order,—the logs being unhewn and unscotched, with the ends projecting at the corners. On these ends were hung horse collars, gears, dish towels and bedding and other appurtenances of the household.

As for a window, a log was omitted on one side and through this longitudinal aperture came light and wind, the space being closed at times, at first with a blanket and later with a clapboard shutter.

For rooms and partitions in the cabin what more was needed than a carpet hung from a stout pole running from side to side of the enclosed space? The spaces could be subdivided by other carpets and by buffalo robes. There could be a bed in each space with 12 inches to spare for fixing and unfixing,—affording much ampler space than a lower berth in a modern Pullman. All trunks, boxes and the like went under the beds. Pegs were on the wall for hanging clothes. There was a trundle bed for the children, while the help slept in the outhouse, or the "lean-to." So there was plenty of well ventilated sleeping and breathing room for all,—and what more was wanted by our primitive Hoosier?

³ Volume I, p. 61.

The landlady at this early Indiana cabin looked upon her guests with some little reverence as "great folks," and it was generally regarded as in harmony with democratic simplicity and true republicanism to bear some manner of envy or enmity toward the cultivated "big bugs" from down East. The common-folks had come as "movers" from the South,—Kentucky, Tennessee, Virginia, or the Carolinas.

"Our wooden country's mighty tough for some folks, I allow," said the cabin hostess. "Right hard to git gals here, marm. Folks has to be their own niggers." Such was the talk while supper was preparing as the hostess bid her flaxen haired Nan "to sort a turn them thare chickens."

On another night the Halls stayed at the home of a travelling preacher—Rev. William Parsons—one of those early itinerant missionaries who received almost literally nothing for their pastoral services. Mrs. Parsons incidentally remarked that for seven éntire years she had never seen together as much as ten dollars either in notes or silver. Here the Halls could give no pay for their lodging. "Pass on the service to another" was the spirit of the pionéer preacher. On the other hand it was rare indeed that any one in the far West, however poor, would ask or take a cent from any man known to be a preacher. A tavern keeper, a ferryman, a blacksmith, a physician,—no matter by whom the service might be rendered,—all would have scouted the thought of accepting pay from a preacher,—which of course, was quite right since they thought the preacher should not expect even the smallest salary. Once a clerical friend of Hall's travelé nearly a thousand miles in woods and prairies and brought back in his pocket the identical money he had started out with,—viz. *fifty cents*. What he thought would be enough had proved too much.

Preachers were sometimes paid a little cash but not much, never enough to make them purse-proud. But the preacher got his living. He entered some land, raised a little produce and then by barter he got his sugar, tea, coffee, and paper, and if he wished to see and own a few silver dollars he must sell a cow or a calf or a horse.

On the fourth day's journey from the Ohio the Halls came to Bloomington, a village set in a clearing, the clearing being about a mile long and a half-mile wide, that had been hewed and hacked out of the woods, fresh, rough, and green. This village in the forest he calls the capital of the New Purchase,—then a town about four years old. Into this village of Woodville, as the young classicist

called Bloomington, the Halls came fresh from the East, and found themselves the objects of strange curiosity. Mr. Hall was clean shaven and that placed him in a particular class. The village was already divided into two classes, the *superior* and the *inferior*. The former shaved once a week, the latter once in two weeks, or thereabouts.

Mrs. Hall was stranger still for she wore no cap, a head covering that was worn in Bloomington by all wives, old and young. The caps in vogue were made of dark, coarse, knotted twine, like a cabbage net, and were worn, as the wives themselves admitted, "to save slickin' up and to hide dirt."

This little primitive village of 500 people was already supplied with *ten* religious sects. The sects were active and disputatious. With so many sects every householder could have a meeting of his own, at his own home. Mr. Hall thought the community was altogether too religious, or rather too superstitious. Their meetings were held chiefly to glorify themselves and to revile others. One neighbor, when he went to pray in private, did so, not by entering his closet and shutting the door, but by opening his doors and windows and praying so awfully loud that he could be distinctly heard half a furlong away. Some steeple saints climbed upon the court house steeple to pray, and Mr. Hall thought it a pity that they came to earth again, for many of them so fell from grace that they died without sign of repentance.

The speech of the people was noticed. They used *nor* for *than*, and mispronounced big words in an amusing way. "Yes, sir, Mr. Speaker," said a legislator, "I'd a powerful sight sooner go into retiracy among the red wild Abō'rreji'nes of our wooden country nor consent to that bill."

Into the new country, Hall came early enough to find the original race of "squatters." In a settlement are found those who have located. They have a habitation and a home, with liberty under some recognition of law. But a "squatter" did not locate. He was a roving wanderer. To him a settlement was odious. As time brought on a legal invasion of their domain, the squatters, indignant and disgusted, "absquatulated,"—i.e. they went and squatted in another place, like roving forerunners of the frontier. They had contempt for the uses and trammels of civilization. A settlement usually took its name from the first settler, or from the man who owned the largest number of acres; or from the person who established a ferry, or a smithy, a mill, a tannery, or, above all, a store. Our early local

geography is full of evidence of this. Occasionally some supposedly wiser progenitor would bestow some flowery or euphonious name upon a place, and all historic and personal significance and connection would be destroyed.

There were not many people in the new land, but the forests were thickly inhabited,—deer, wolves, blue foxes, gray foxes, black foxes, squirrels of like shades, ground hogs, wild-turkeys, wild ducks, wild cats, opossums, snakes, with rattles and without rattles, of all colors and sizes—and the domestic hogs, so wild and fierce that when hog-killing time arrived they had to be hunted and shot like other independent beasts. These porkers were not fed at the corn crib or the swill tub, they were mast fed,—that is they foraged for themselves and found their own provender, under the primeval trees of oak, hickory, walnut and beech. The nuts afforded both good fattening and good flavor. In this wild country the yokes were on the horses to prevent their jumping not *out* of enclosures but *into* them. The fences were to protect your own from the common wilderness.

The rifle was one of the indispensable implements of the new civilization. It procured for the people in certain seasons the only meat they had to eat. It brought down the wild turkey or the wild duck. It defended the home from wild animals; it saved the corn from squirrels, the hen roost from foxes, opossums, owls and other "varmints." With it they killed their beeves and hogs and cut off the heads of their fowls. The wood-man carried his rifle everywhere,—to town, to the tannery, the store, to the neighbor's house. A good rifleman could cut off the head of a bird at 50 yards, split a bullet upon an axe's edge, hit a ten-penny nail on the head or plant bullet after bullet into the same auger hole.

The New Purchase contained a rifle-maker unexcelled for 200 miles in the country round. Hall pays a remarkable tribute to this gunsmith, his friend Austin Seward, whom he called Vulcanus Allheart,—“by birth a Virginian, by trade a blacksmith, by nature a gentleman, and by grace a christian; if more need be said he was a genius.” “Not one in a million could make an axe as Allheart made it; and hence in a wooden country where life, civilization, and christianity itself, are so dependent on the axe, my blacksmith was truly a jewel of a man.” An axe of Seward's, even where silver was hoarded as a miser's gold, brought in real cash one dollar above any patent flashy affair from New England. No other man in the Union could temper steel as Allheart tempered it; and workmen from Birmingham and Sheffield who sometimes wandered to us from the

world beyond the seas, were amazed to find a man in the Purchase that knew and practiced their own secrets." His skill was equally great at rifle making and Hall was ready to stake a Seward rifle against any he had ever seen or known.

The religious meetings were the great events of the community life. They were the one approved diversion from the routine of life for people of all classes. They were the best opportunity for social concourse. Everybody came, men, women and children, in rain or shine, in all weathers and seasons,—on horse-back carrying single, double, double and a half, or treble. They drove through miry clay and swam their horses over swollen streams. The meeting-goers were inspired by a variety of motives. Some came for news, some to see their neighbors, some to electioneer, some to advertise "strays," some to scoff, though they may have remained to pray. After the meeting had been called to order some settler might arise to announce an advertisement for a stray animal as follows: "Neighbor Bushwhack, livin' down the lower end of Sugar Holler, would like to heer if anybody in this here settlement has heern or seed a stray critter of hissin, as his hoss-beast, a 3-year old black geldin', come next spring, with a switch tail, but his ear a kind a eat off by his other colt, slipt his bridle on Hickiry Ridge last big meetin', and he aint heern or seen nothin' of him sense."

The big meeting was a great sparking time for the boys. It was held in the beautiful autumn, after the hard work was over, and the young men went free and gay expecting to find "a most powerful heap of gals." Sunbonnets and calico frocks were there in abundance. A group of young people would steal away to the spring, where they would contrive accidentally to have a meeting of their own, when the notes of their voices would mingle strangely with the notes of psalmody and prayer.

Politics had its early phases and phenomena in Indiana. All offices were elective, within the direct gift of the people, from governor down to the fence viewer's clerk's first assistant. And for rabble-rousing purposes there were those who gravely contended that trustees of the college, presidents, professors and teachers should be elected directly by the people. So the people were constantly electing somebody, and candidates were scouring the country with hats, saddle bags and pockets crammed with certificates, defending, accusing, defaming, and clearing up, making licentious speeches, treating to corn whiskey, violating the Sabbath, and abusing the administration and the administration's wife.

Everybody expected to be a candidate for something some time; so that everybody and everybody's friends were always electioneering till the state of intrigues, slanders, and fierce hostility were a weariness to the flesh to any gentleman or woman. Boys voted fraudulently, standing either *over* the number 21 pasted in a shoe, or *between* the number 21 in the hat and the number 22 in the shoe. They would sometimes deliberately swear, when challenged as to age, that they were *over* 21 or *between* 21 and 22.

Stump-speaking was a passion,—and veritable stumps were used for platforms, though often good stump speeches were made from a table, a chair, a whisky barrel or the tail end of an ox-cart. But when the ox-cart was used the speaker had to watch that some of his opponents did not pull out the forward pin; for in that case in an unexpected moment and at the climax of his oratory the speaker might be hurled suddenly in the dirt. Or the driver too long detained might whip up with a shout and a crack and the ox team would start off loaded with politics, to the amusement of the people and the discomfiture of the candidate. There were political "jokers" in those days outside of legislative bills.

As to the rabble-rouser, his groveling humanity and his fine promises just before the election were unsurpassed. One manly candidate who refused to make absurd and wicked promises, after his defeat said he would run again and this time he would promise to use his utmost efforts to force the legislature to abolish the fever and ague and to pass a bill to find a gold mine on every poor man's quarter section. The candidate's handshaking was an art, which went on with friend and foe. His agents treated at the doggery. He dealt out whiskey and gingerbread to the voters as they marched past him with fife and drum to the polls. The voting was in the open, and the man who would treat the most lavishly and entertain the most amusingly would be the more likely to win the favor of the voters. The world is better that it used to be, but in nothing quite so much as in its politics.

The log-rolling was a common event and it has been often described to us. Again everybody came, this time not for spiritual but for bodily service,—men, women, boys, girls, horses, oxen, and dogs. The dogs were as busy as the men barking and running and hunting but catching nothing the whole blessed day, except three dozen snakes, four skunks, two opossums, and a score or two of field rats and mice and ground squirrels. The men were dressed in tow trousers, cow-hide boots, unbleached hemp-linen shirt, without coat

or vest, and with shirt sleeves rolled above the elbow,—in which latter aspect of human attire we find history repeating itself in modern college society.

In those virtuous and happy days of old the mail came regularly once a month, till a public spirited legislator exerted himself in behalf of his constituents and then it came irregularly once in two weeks. The nearest post office to Mr. Hall while he lived at Gosport was at Spencer, nine miles away. The mail came in a dirty, scrawny, flapping little pair of saddle bags. Sometimes the mail would fail altogether, and this came about from the action of a clerk in the Bloomington office, who noticing that there were no letters for the Spencer office retained the papers for private use to be forwarded by next mail. Sometimes the mail failed because of high waters. Think of going through nine long miles of such roads for the mail and finding none, and then driving back all that wet, long, tangled way to wait four more weary weeks for the letter that did not come.

It was not an easy matter to get hold of any of the circulating medium. A man was generally unwilling to part with cash, and he might remain six hours in a store with only six cents to spend. In Hall's time rarely indeed could two cash dollars be seen circulating together; and having then no banks and being suspicious of all foreign paper the people carried on their operations exclusively by trade. For goods store keepers received their pay in produce which was converted into cash at Louisville, Cincinnati, or more frequently at New Orleans. The house of Young & Hall paid for all things in leather. When a wood chopper must have shoes and had no money and no produce with which to pay he offered to pay in chopping. The firm not needing that article but being indebted to several neighbors who did, sent the man and his axe as the circulating medium then in demand among its own creditors to chop out the bills against the store.

The men of the New Purchase attributed the scarcity of cash to the non-existence of banks, while in the old Purchase that scarcity was attributed to their existence. The good hard money of ultimate payment was well taken care of by those who controlled the currency. People dealt in silver fippenny bits. A fippenny bit was $6\frac{1}{4}c$. Sam, a woodman of the settlement, brought in some tow linen for which he hoped to buy four panes of glass 8×10 , $\frac{1}{2}$ lb. of store coffee, $\frac{1}{8}$ lb. of store tea, $\frac{1}{4}$ lb. of gun powder, 1 lb. of lead, a string of button moles and a needle. The trade was found against

him, by $9\frac{1}{4}$ c. Sam had two fippenny bits ($12\frac{1}{2}$ cents) in his pocket, but he was not willing to part with them. The store keeper offered to take one of the bits, $6\frac{1}{4}$ cents, and call it even, but Sam regarded this as downright Jewish usury and the storekeeper was obliged to book the $9\frac{1}{4}$ cents to be paid in "sang." Was Sam's conduct surprising? Hardly, when you remember that for \$1.25 could then be bought a whole acre of good bottom land, trees, spice-bush, pawpaws, and all. So to pay out $6\frac{1}{4}$ cents was to take off quite a good slice from an acre. No wonder Sam was indignant at the storekeeper's attempt to inveigle him out of his "fippenny bit."

The trustees of the new Seminary announced their desire to find men qualified to fill the chairs of the professorships. A large and sudden crop of candidates sprang up, even in and around Woodville, who, if not qualified, expected to "qualify" by the time school began. One schoolmaster offered to find his own chair, which, of course, would be quite a saving to the State. One candidate entered the plea of poverty, that something ought to be done for a poor fellow who had been "born in a cane-brake and rocked in a sugar trough." Another thought he could learn one of the *dead* languages in three weeks. The election, of course, excited the hostility of the dozen or more disappointed candidates toward the school, the professor-elect, the trustees, and toward "every puss-proud aristocrat, big bug, and darned blasted Yankee, in the New Purchase."

Governor Whitcomb is described as the most sagacious man the author had ever seen in making political somersaults. He turned so adroitly and so noiselessly as to cheat the eyes of the beholders, and make it doubtful whether he was on his head or on his feet. He never turned with the tide, but watching the ebb and flow, he always managed to turn a little before the tide. Thus he was always a people-loving leader of the right party, i.e., the successful one.

Whitcomb was a Methodist, but was fond of the violin, and was a good player on that worthy instrument. But the Methodist preacher in the Purchase could not stand for the violin, nor the fantastic toe likely to be engendered thereby. Preachers were in the habit in those days of praying *for* people by name in public and *at* people by description. Whitcomb told with some relish this petition of a preacher which was directed *at* him. "Oh, Lord, oh, I beseech thee; have marsey on all them there poor sinners what plays on that instrument, whose sounds is like the dying screech of that there animal out of whose intrils its strings is made."

Time will not permit me to go into the descriptions of the various

aspects of frontier life that Hall witnessed and described,—the barbecues, the rifle matches, the stump speeches, the college exhibitions, the court trials, the charivari, the pigeon shooting. There is amusement or interest in each of these. But I cannot forego the camp-meeting. When this event came on Woodville was in a ferment. All the crack preachers within a circuit of 300 miles were to be present. Hall had not been favorable to these manifestations of religious zeal. The shouting Christian was not to his mind the highest type, and that kind, in his opinion, stood in no need of encouragement. He had constantly refused to attend these meetings and thus had become a suspected character. He was recognized as an honest sort of man, but it was thought he ought to go to camp-meeting and "git religion." So to one of the big meetings he finally went.

For the camp-meeting, which might come twice a year, whole families broke up housekeeping for two weeks; domestic altars were deserted; regular churches were shut up; the children were taken away from school; the people went to the woods to live in tents, with peril to health and, very often, with loss of life to feeble persons. Hall was unable to see why folks should do these things under a belief that the Christian God is a God of the woods and not of the towns, of the tents and not of the churches, of the same people in a large and disorderly crowd, and not in one hundred separate and orderly congregations. Now at last he had decided to go and see for himself.

The camp was eight miles from Bloomington,—the scene of many a spiritual drama, and there many a harvest of glory had been reaped in battling with the devil and his legions. It seemed wonderful to our doubting professor why his Satanic Majesty never became shy of the place where he was said always to have the worst of the fight. At this particular meeting Satan was challenged to come out and do his prettiest. It was allowed by certain discerning prophets that some powerful fights would be seen and that the old fellow would "agin git the worst of it."

The author admitted the poetry and romance of a western camp-meeting,—the wilderness, the gloom, the grandeur of the forests, the gleaming sunlight by day, the clear blue sky, like a dome over the tents,—that dome at night radiant with golden stars; the tents formed like booths at the Feast of Tabernacles,—a community having all things in common, dead to the world and just ready to enter heaven, in a fervor of zeal. The zealots would march around

the camp like Joshua and his army around the walls of Jericho, shouting and singing. Heat, flame, and smoke were the constituent elements of a good meeting. Novelties and new excitements had continually to be introduced, or the meeting would grow stale.

But though he was no decided friend to camp meetings, morally, spiritually and theologically considered, yet Hall cordially admitted that at a western camp-meeting, as at a barbecue, were to be found the very heart and soul of hospitality and kindness. There these virtues were wide open and fully poured forth.

He describes in full the scenes, the camp fixtures, the program of exercises, and the sermons he heard, the shouting, the roaring, the groaning, the hissing, the clapping and stamping, the laughing and crying and whining; how the backsliders and the thoughtless sinners that came for fun were instantly knocked over where they lay before the altar, some seized with violent jerking and writhings of the body, and some uttering the most piercing and dismaying shrieks and groans. At this particular meeting there was a sudden rush toward the professor where he stood mounted on a stump. The rush was occasioned by a desire to see a battle royal with the devil. A stout fellow was lying on the straw, groaning and praying, yet kicking and pummeling away as if scuffling with a sturdy antagonist. Near him were several men and women at prayer, and one or more whispering into his ear; while on the stump above stood a parson superintending the contest, so as to insure victory to the right party. The prostrate man, like a spirited tom-cat, seemed to fight best on his back. He was the celebrated bully of the Purchase,—“Rowdy Bill.” When it became known through the camp that Bill was engaged in a hand-to-hand tussle with the devil the rush had occurred, because this was a fight worth seeing. The spectators were hugging one another, standing on tip toes, with necks stretched out, to get a view of the field, or the ring,—to use the proper sporting language. The superintendent shouted: “Let him alone, brothers! let him alone, sisters!—keep on praying,—it’s a hard fight;—the devil’s got a tight grip yet. He don’t want to lose poor Bill, but he’ll let go soon;—Bill’s getting the better of him fast. Pray away!”

Now, “Rowdy Bill” was a famous gouger, and so expert was he in his anti-optical vocation that in a few moments he usually bored out his antagonist’s eyes, or made him cry “enough.” If Bill could only get the devil by the head he would soon cause him to let go entirely his metaphorical grip. So, at least, thought his devoted

wife. Bill was a man after his wife's own heart, and she often said that "with fair play she sentimentally allowed her Bill could lick any a man in the varsal world, and his weight in wild-cats to boot." Hence, hearing that Bill was actually fighting with the devil, she came pressing in to see that he had fair play, and hearing that Bill was actually down on his back and apparently undermost and that the fiend had a tight grip on the poor fellow, she screamed out her common exhortation to Bill, which when heeded heretofore had always brought victory, "*Gouge* him, Billy! *gouge* him, Billy! *gouge* him!!" Bill apparently acted upon the suggestion, rose to his knees, smothered and routed his foe, and announced that he had "got religion"; and then his friends and spiritual guides united in prayers and shouts of thanksgiving.

This scene lingered in the author's memory for many a night and day, and that of the 200 converts as they paraded and marched around the camp-meeting grounds under the appellation of "virgins following the lamb," or as "trophies snatched from Satan." And he concluded that "a camp-meeting, all things considered, was the very best contrivance and means for making the largest number of converts in the shortest possible time; and also for "enlarging most speedily the bounds of a Church Visible and Militant."

We may smile at these extravagant ways, exceptional no doubt, even for those primitive days. But as we recall the oddities and crudities of these early settlers in the woods we should not in any way forget nor disparage their virtues. Here was a hardy, hard-headed, and in the main, a worthy people. In many ways they were untutored, but they were accomplishing a great work, as with courage, endurance, and sacrifice they were subduing the forest, building homes, establishing the State, and advancing civilization. We who now live here under immeasurably better surroundings and in the enjoyment of opportunities which the most sanguine vision of their imaginations could never portray will forever be their debtors. They were our progenitors, and among them were some of the best and noblest of the race. There were among them some who came, as Mr. Meredith Nicholson says, to bring the light into the darkness. The Owens were at Harmony; the Morrisons and Mays and Hobbses at Salem; Hall and the Wylies were at Bloomington; the Merrills and Nicholsons and Julians and many others were in other parts of the State; and the immortal work of Caleb Mills at Wabash is known to all intelligent sons of Indiana. No one knew better than Mills how the benighted and the indifferent stood ready

to reject the light and to permit their lives and that of their community to go down into oblivion. But let us remember that among the rank and file of struggling Hoosiers in the new commonwealth there were others who hailed the prophecy and the promise of a better day; who gave of their toil and meagre substance to truth, to religion, to learning and education, and who were ready to dedicate to the upbuilding and higher intelligence of their State, their lives, their fortunes and their sacred honors. Wabash College and this History Society are but the products of a spirit like that; and it will be your privilege, as I am sure it will be your pleasure, as far as in you lies, to discover, to reveal, and to lead your several communities to appreciate the worthy story of our past and its significant bearing upon the possibilities of the future.

I have but touched the fringes of a great subject,—the story of the life of early Indiana. Some of it is in modern print and is easily accessible. Much of it in sources that are fugitive and undiscovered. Much of it, alas! has been destroyed and has gone from the earth forever, interred, as it were, with the bones of those who have lived and wrought and passed off the stage of action, but who, not knowing their own history, unconscious of the significance of their own being, have left no record for the edification or enlightenment of posterity. For your purposes and mine as students of history their names, their residence and their memories are with annihilation. Let us see to it that we do not make our abode with such as these. Let us appreciate our past and our passing lives, and let us recognize our obligation to our children and our children's children to recover, - preserve, and hand down to posterity what we can of our own history. What we learn and see and hear of interest and importance in our day will be of ten times greater interest to men and women a century hence. And if we remember how immeasurably better off we are than they were in the days of the fathers when men were laying the foundations of our State, we shall not forget the debt of gratitude to those who labored not for themselves alone, but that we, their children and their grandchildren, might enter into the fruits of their labor. One of the uses of history is to remind us not only of our unpaid obligation to the past, but of our never ending obligation to the future. Young men, the future is yours; but it is yours not only to enjoy, but to magnify and redeem.

THE CRIMINAL CODE OF THE NORTHWEST TERRITORY

By the Late Judge DAVID D. BANTA, Sometime Dean of the Indiana
University Law School

[Judge Banta was born in Johnson county, May 23, 1833. He was educated at Franklin College and Indiana University, graduating from the latter institution with the class of 1855. Two years later he graduated from the Law School of Indiana University. In 1888 Hanover College conferred upon him the honorary degree of LL.D. He was in public service continuously from 1857 to his death in 1896, during the last six years of his life being Dean of the School of Law of Indiana University. He was the author of a *History of Johnson County*, *History of the Presbyterian Church of Franklin*, *Making a Neighborhood*, and many shorter papers and essays. This paper was read before the Fortnightly Club of Bloomington on May 2, 1892.]

WHEN the immortal Diedrich Knickerbocker sat down to write his veracious History of New York, he began his story with an account of the creation of the world. With less time at my command in which to write my history and moved by a less lofty ambition than that which animated the great Dutch author, I begin at an era, which, if of less consequence to the world in general than the creation, is scarcely less so to that part of the world which is comprised within the boundaries of the old Northwest territory; and which it must be confessed by all has the merit of being closer to us in point of time than does the creation. I refer to the Ordinance of 1787.

This old document, about which so many fine things have been spoken by our historians and orators, can not be passed over, at least without mention by one in search of the genesis of the Indiana criminal code, for it was in the very next year after the passage of the Ordinance that the government of the Northwest territory was set up at Marietta, at the mouth of the Muskingum, and a code of laws was enacted in pursuance of its provisions for the government of the people northwest of the Ohio. That first code, together with such additions as were from time to time made to it by the different legislative bodies, constituted the code and of course the criminal code in force in the Indiana territory when in 1816 that territory became the State of Indiana. It can thus be seen how, in a sense,

the Ordinance became the In-the-Beginning of the Indiana criminal code.

The English, the American colonial, and the early State penal codes of the last half of the last century and the first of the present, present most remarkable contrasts with the penal codes with which we, of today, are the best acquainted, particularly as respects the nature and character of the punishments inflicted for wrong-doing. There are other contrasts which, if one had the time, it might be interesting to point out, but not one so noticeable as the one suggested and which with such certainty indicates progress in the humanities.

In Professor Howard's *Introduction to the Local Constitutional History of the United States*,¹ he characterizes as "A Barbarous Criminal Code" the Marietta one of 1788; and it must be conceded that to a humane statesman of that era who could have seen with prophetic eye the criminal code of our day it would indeed have seemed all the Professor characterized it—a barbarous criminal code. But the men who framed that code and their contemporaries were very much in the habit of looking backward instead of forward, and so, looking backward and considering the penal codes of the past ages as well as of their own ages, they doubtless found cause for self-congratulation in the fact that the odds of humanity were in favor of their code.

At the risk of consuming time that may possibly be coveted before the end is reached, let me briefly call attention to the state of the criminal law, both in England and the colonies immediately preceding, at and succeeding the time when the Marietta code was promulgated. By so doing I trust we may not only be the better able to judge of the merits or demerits of that code but of the successive penal legislation of the Northwest up to and including the first distinctively penal code adopted by the State of Indiana.

There is always a disposition to judge of the men of the past and their deeds by the standards of the present. The history books are full of the instances of such judgments. Necessarily our outlook must be the most circumscribed. I call to the stand Robert McKenzie, the author of a *History of the Nineteenth Century* and I ask him to make a brief statement of the condition of the criminal law in England and the manner of their enforcement during the lat-

¹ George E. Howard, *An Introduction to the Local Constitutional History of the United States*. Johns Hopkins University Studies, Baltimore, 1889.

ter half of the Eighteenth century and, say, up to the year 1816, when Indiana was admitted. His answer you will find beginning on page 79 of his history:

The criminal laws were savage and they were administered in a spirit appropriately relentless. The feeling of the time was so entirely in favor of severity that Edmund Burke said he could obtain the assent of the House of Commons to any bill imposing the punishment of death. Every class strove to have the offenses which injured itself subjected to the same penalty. Our law recognized 223 capital offenses. Nor were these mainly the legacy of the Dark Ages, for 156 of them have no remoter age than the reigns of the Georges. It seems at first that there cannot be 223 actions worthy of the mildest censure. But our stern fathers found that many worthy of death. If a man injured Westminster bridge he was hanged. If he appeared disguised on a public road he was hanged. If he cut down young trees; if he stole property valued at five shillings; if he shot at rabbits; if he stole anything at all from a wheatfield; if he wrote a threatening letter to extort money; if he returned prematurely from transportation,—for any of these offences he was immediately hanged. The criminal class has become in recent times an embarrassment. Our fathers experienced no such difficulty. They solved the problem by putting to death with little discrimination every rogue, great or small, on whom they could lay their hands. . . . In 1816 there were at one time 58 persons under sentence of death. One of these was a child ten years of age. The hanging of little groups of men was of constant occurrence. Somewhat earlier it had been even worse. "A fortnight ago," wrote Charles Wesley in 1776, "I preached a condemned sermon to about 20 criminals; (and every one of them I had good ground to believe died penitent.) Twenty more must die next week." Men who were not old when the battle of Waterloo was fought were familiar with the nameless atrocities which it had been customary to inflict upon traitors. Within their recollection, men who resisted the government were cut to pieces by the common executioner and their dis severed heads were exposed on Temple Bar to the derision or pity of passersby. It seemed indeed as if society were reluctant to abandon these horrid practices. So late as 1820 when Thistlewood and his companions were executed for a poor, blundering conspiracy which they were supposed to have formed, the executioner first hanged and then beheaded the unfortunate men.

So much for this witness. He gives us a varied summing up of the condition of affairs in England. Unfortunately no witness is at hand with a like summing up as to our own country. But the story is a less bloody one. The colonial and the new State criminal codes were humane by the side of the mother country code, but barbarous by the side of the codes of the present. They provided punishment for acts which would not be tolerated now-a-days, and nearly or quite all of the graver offences were punishable with death. McMaster tells us that the General Court of Massachusetts prescribed

the death penalty for ten crimes in the very year of the adoption of the Federal Constitution.² In both Connecticut and Rhode Island death followed the commission of a like number of acts. In Delaware twenty offences were punishable capitally, and in Virginia and Kentucky twenty-four were punishable either by death or maiming.

In 1777 Mr. Jefferson, then a member of the Virginia House of Delegates, was appointed one of a committee of three to revise the laws and adapt them to the new condition of things.³ It fell to his lot to revise the criminal laws and the law of descents. Mr. Jefferson was a gentle, humane man and we may well suppose that a criminal code of his devising would fail, if fail it must, in the House of Delegates rather for its humanity than its inhumanity. And such was the fact. Mr. Jefferson's code was ahead of the times. "The general idea of the century," he himself says, "had not advanced to the point put forth by Beccaria⁴ on crimes and punishments, of the unrightfulness and inefficiency of the punishment by death." He reported a plan of a penal code which provided the penalty of death for two offenses only, treason and murder. I believe a vote was not had on the report till after the [Revolutionary] war when it was defeated by a majority of one. It was still in advance of the humanity of the times.

Now let us note some of the provisions of that too human code. Whosoever committeth death by poison shall suffer death by poison. The duelist who killed his antagonist was to be gibbeted—hung upon the gallows-tree till the birds picked his bones. Every murderer should forfeit half his goods to the next of kin of the person killed. Every man guilty of rape, polygamy, or sodomy was to be castrated and every woman have a hole cut through the cartilage of her nose a half inch in diameter. Every person who of malice aforethought should maim or disfigure another, cut out his tongue, slit or cut off his nose, lip or ear, or brand him, should be maimed or disfigured in like sort; and if he could not be maimed or disfigured in like sort for want of the same part then in some other part of equal value to be selected by the jury. Five years of hard labor was to be the part of counterfeiters and committers of arson. For grand larceny the pillory for half an hour and two years of hard labor on

² John Bach McMaster, *A History of the People of the United States*, I, p. 100 seq.

³ Jefferson, *Works*, Washington Edition, I, p. 45. The text of the proposed code is given on page 147.

⁴ Cesare Bonesano, Marquis of Beccaria, was a Milanese publicist (1735-1793). His fame rests on his great work published in 1764 entitled *Treatise on Crimes and Punishments*. He argued against capital punishment, and for greater humanity toward criminals.

the public works. For petit larceny the pillory for half an hour and one year hard labor. For all attempts to delude the people by the practice of pretended arts, such as witchcraft and the like, ducking and whipping.

This code shows in its very inequalities that it must have been the result of an attempt on the part of its author at practical legislation. He hoped that, while conceding something to the barbarism of the age, yet to compass something for the cause of humanity. The cruel punishments provided for came from the past; the more humane were the expressions of the new and better day whose dawn was apparent only to the few.

While the number of acts that one could commit in any of the colonies or States during the latter part of the last century that brought the penalty of death was far below the number in England at the same time, yet the severity, not to say ferocity, of all other punishments, save death, that were inflicted was little if any less than in England. The colonists had brought with them all the instruments of punishments then known and in use—the stocks, the ducking stool, the branding iron, the cropping knife, the whip, the jail, the rope, and even the wheel, the stake and the cage. In Massachusetts “breakers of the peace, profaners of the Sabbath, unlawful gamesters, drunkards and profane swearers or cursers” were put in the stocks, caged, imprisoned, or whipped.

In Connecticut from 1760 to the Revolution the burglar or robber was branded on the forehead with the letter “B,” had an ear nailed to a post and then cut off, was whipped on the naked body with fifteen stripes. For a second offense he was again branded, had the other ear cut off and got twenty-five stripes, and for the third offense was killed outright.

In Maryland he who unlawfully altered a will forfeited all his estate and was put in the pillory for two hours with both ears nailed there, which were cut off and left sticking to the timbers when his time was up.

In Delaware, New York, and probably elsewhere negroes were burned at the stake and sometimes with green wood so as to prolong the agony; they were broken on the wheel, and hung up in iron cages and left to starve to death. All these things occurred in New York, certainly before the Revolution, and probably after, and the like occurred probably in three-fourths of the other colonies but has never got into history. The Delaware case I discovered myself in running through some very old church records at the town

of Jersey in that State, and I have no doubt one could find many such instances in the time-stained court, parish, church, and other records of the original thirteen. These are the things the local historians as a rule do not care to talk about.

Professor George E. Howard, after writing 416 pages of his *Local Constitutional History of the United States*, in which he considers the town-meeting, the selectmen, the tithing, the township, the county, and divers other matters pertaining to New England, Pennsylvania, Maryland, and the other colonies gives us without any heading, three pages devoted to "various forms of corporal punishment, some of them rather peculiar, [which] were devoted to *petty* offenses"; and if his reader happens to know no better, he will rise from the perusal of these pages with the impression that the peculiar corporal punishments inflicted in New England were of rare occurrence, had a humorous flavor, and were confined to the very early years of colonial history. But when the author reaches the Northwest territory he becomes quite serious and heads a chapter "A Barbarous Criminal Code"—and tells the truth.

All this, however, is by the way. The code was a barbarous one, judged by the standard of today, but let us see whence it came and what became of it. The act of a Congress made up exclusively of members from the thirteen original States provided that the governor and territorial judges of the Northwest territory should, during the First Stage of territorial government, *select* from the codes of the original thirteen States such laws as they deemed applicable to the new government northwest of the Ohio. No authority was given for framing new laws, and while it is a fact that occasioned much congressional criticism at the time that the commission ventured to re-cast some of the laws in order to make them conform to the requirements of a new society, nevertheless the laws so re-cast were taken from the statute books of some of the original thirteen.

We therefore find the new law-proclaiming power handicapped at the very outset. Legally no laws for the punishment of crime could be enforced but such as had already been enacted by some State for the government of its own citizens; and so whatever of merit or demerit that attached to any particular law adopted, the legislators of the Northwest territory were entitled to neither the praise nor the blame. If their code appears to the people of this more favored age as a "barbarous one" it had in a sense been forced upon them by the older communities.

In eleven years the population of the Northwest territory had in-

creased to such a degree as to warrant the introduction of the Second Stage of territorial government which had been provided for by Congress and thereafter legislative assemblies composed of elected members passed such laws, whether belonging to the civil or criminal sides, as they deemed would best promote the interests of the people. The congressional injunction to *select* laws that were found in the codes of some one of the original thirteen States was not binding on these legislative assemblies.

Up to the time of the ending of the First Stage of the territorial government, the governor and judges were in the habit of meeting from time to time to *select* laws, an act they could rightfully perform, and to *pass* new laws, an act they could not rightly perform. Congress disapproved in 1792 of the territorial laws *passed* by the governor and judges, but it would seem as if the laws continued to be enforced among the people thereafter till repealed by territorial legislative act. The judges who had passed the laws stood ready to enforce them and from their decision there was no appeal, and Congress could only disapprove, not repeal.⁵

In 1800 the first division of the Northwest territory was made and the Indiana territory with jurisdiction over all the region now comprised within the States of Indiana, Michigan, Illinois and Wisconsin was created. Michigan territory was cut off in 1805 and Illinois in 1809, leaving the Indiana with [about] the same as the present boundaries of the State.

The unrepealed laws of the governor and judges and of the legislatures of the various territorial governments, descended as it were in a sort of lineal succession, till in 1816, when on the organization of the State government of Indiana the whole descended and became a part by inheritance, figuratively speaking, of the new State. It was in this way that Indiana as a State got her first criminal code.

It is thus made apparent, I trust, that in order to form a just judgment as to the presence or absence of wisdom or humanity in the Indiana criminal code in the beginning or at any subsequent time, something of the letter and the spirit of the various territorial codes that constituted it must necessarily be known.

Let us consider, then, some of the territorial criminal laws for a moment. The want of time utterly forbids any attempt at classifi-

⁵ Most of these laws can be found in the *Maxwell Code*, published by W. Maxwell, Cincinnati, 1796. The laws of this code were adopted by the Governor and Judges at Cincinnati May 29 to August 5, 1795. A *fac-simile* reprint of this Code was published by Robert Clarke & Co., Cincinnati, about twenty years ago.

cation or any other than the most meager reference. The Marietta code of 1788 provided penalties for nine acts and pronounced homilies against two. Treason, murder, and house-burning in case the death of any one was caused thereby, were punished by death. Burglary and robbery were punished by thirty-nine stripes and by fine and imprisonment not to exceed forty years. For perjury the offender was either to be fined not exceeding \$60 or whipped not exceeding thirty-nine lashes, disfranchised and put in the pillory. Larceny was punished by fine or whipping and if the accused were fined and unable to pay, it was lawful for the sheriff to sell him at public outcry for a period not exceeding seven years, to some one who would pay the fine. Forgery was punishable by fine, disfranchisement and standing in the pillory. For the first offense of drunkenness a fine of five dimes was imposed, for the second, and every successive, one dollar and in case of refusal to pay the fine, the stocks for an hour.

Against the vices of profanity and Sabbath-breaking the people were admonished that the acts were not made criminal by the imposition of any penalties. This was a unique sort of legislation that, so far as I know, was without precedent and has never become a precedent.

This code was a patchwork affair, as it needs must have been to have come from so many different sources as we may suppose it to have come. As to the number and character of acts that were to be punishable by the death penalty, it was doubtless the most humane code in the civilized world at the time. But as to punishment for offenses its promulgators did not deem worthy of death it merited from our standpoint at least the epithet of barbarous. All sorts of punishment were recognized except maiming. There was no cropping of ears, no striking off of hands or other members of the body, and not even any branding in that code. There is a sort of inequality of punishment apparent which is not surprising, considering the patchwork character of the laws. Forgery, for instance, was punishable by fine, disfranchisement and the pillory, while the burglar and robber might get thirty-nine lashes, a fine and forty years' imprisonment.

This code is more remarkable, if possible, for what it does not contain than for what it does. There is not an act of turbulence or injury to the person of another than is forbidden either by way of admonition or fine, save those of murder and robbery. The citizens of the new territory might fight, engage in riots, slit noses,

perpetrate mayhem, gamble, commit rape, but they must not get drunk, and they ought not to swear nor fail to keep the Sabbath.

Subsequent legislation added acts that were made criminal and of these two were deemed worthy of death—bigamy in 1803, and the second offense for horse stealing in 1805.

The legislation concerning horse stealing would make not an uninteresting chapter in the history of criminal jurisprudence in our State. By the law of 1805 the offender, for the first offense, was required to make full reparation to the owner—a punishment that has come down from the old Saxon laws; and he was to receive not less than fifty nor more than 200 lashes on his bare back, well laid on. If not a vigorous fellow he might collapse under the punishment, which if he did, it was deemed his fault or misfortune. If he survived and was proven guilty of a second offense of the same kind he was deemed worthy of death and was executed outright.

We can easily see what excuse could be given for the savage nature of the punishment for horse stealing and likewise can readily see how the legislators of the time could find excuse for providing extraordinary punishments for the act of altering a brand or mark of any cow, hog, or other beast running in the range. In 1806 for this offense branding in the left hand with a letter "T" was provided as a part of the punishment. But for no other act was this punishment ever inflicted in Indiana and not for long for altering marks.

The usual punishments were whipping, putting in the stocks, in the pillory, fines, imprisonment and disfranchisement. But disfranchisement meant more in general in the early days than it does now. It was a sort of un-citizenizing of a man—something somewhat analogous, I suspect, to the ancient practice of the church in unfrocking an unworthy priest. At any rate, for many crimes it was made a part of the punishment that the criminal should not only be rendered incapable of voting and holding any office of profit or trust, but be forever incapacitated for serving as a juror and testifying as a witness. He was thus placed under the ban of the law and under the constitution no executive clemency could ever afford him any relief. Once under the ban, always under the ban. These were the kinds of punishments known to the laws that entered into and became a part of the Indiana criminal code—a code that came into and formed the State code from the territorial code by operation of general rules of law. They were savage in comparison with the laws of a later date. But it is worthy of

remark that no ears were ever cropped in Indiana under either territorial or State laws; no hand was ever stricken off; no disfiguring of the person was ever tolerated, save in the one case of branding for the altering of a mark, which was the law for a short time only during the territorial period. No noses were ever slit or had holes bored in them, nor was a man ever castrated for the commission of a crime.

The State was admitted in 1816. The Legislature of 1817 made no other changes in the criminal laws that had descended from the territorial code, save as may have resulted by implication from the passage of new laws. A dozen or more new acts were passed, among which were acts to punish forgery, man-stealing, giving false certificates of manumission, dueling, incest, Sabbath-breaking and profane swearing. The two last statutes have come on down to the present with no great change of phraseology.

In all these last-named laws the drift is seen toward substituting fines for punishments, though the whipping post keeps its place. Thus the forger or defacer of a public record in addition to any number of stripes between ten and one hundred might be fined not exceeding \$2,000. The forger of a deed might be fined \$3,000 and receive the stripes. For man-stealing the penalty was a fine not less than \$500 and not over \$1,000 and disfranchisement. Dueling was always repressed with vigor in both territory and State. A territorial law required of every citizen when taking an oath of office to take a kind of test oath. He had to swear that he had never engaged in nor participated in a duel as a party, second, or friend; and to this was now added a penalty for going out of the State to fight, in a fine not less than \$100 nor more than \$2,000.

The second Legislature took up the subject of criminal legislation in earnest and passed an act to reduce all the acts and parts of acts then understood to be in force relating to crimes into one general act or code.⁶ This new act provided punishments for fifty-five acts that were declared to be misdemeanors or felonies. Of these four were declared to be worthy of death, viz.: treason, murder, rape, and carnal knowledge of a female child under ten years of age. The acts relating to bigamy and horse-stealing and making them punishable with death had, before the State was admitted, been repealed and so had the statute providing for branding with the letter "T" for altering marks.

⁶ *Laws of Indiana*, 1818, Ch. V.

The punishments recognized in this new code were hanging for the four capital crimes, flogging, fine, imprisonment, and disfranchisement. Thirteen of the more heinous were liable to punishment by stripes; sixteen could be imprisoned and all but ten or twelve could be fined. The want of jails accounts for the comparatively few crimes that were punishable by imprisonment, it has been said, and I think with truth; but the heavy fining, considering the scarcity of money and general poverty of the people, is astounding. For the crime of arson the penalty was stripes not exceeding 100 and a fine not exceeding \$20,000.

With one more reference let this half-finished paper conclude. One by one the old barbarous modes of punishment had been eliminated until the Indiana code contained but one that was considered at the time, and is still by many, as the last of the list—the whipping post. In every one of the thirty-one counties organized in the State up to 1820, the whipping post was planted and the laceration of the backs of both men and women was not only a possible occurrence, but in some we know was an actual fact. Great throngs, it was said, would assemble to witness the infliction of this punishment. As late as 1821 the sheriff of Switzerland county took Abraham Levi, who had been convicted of horse-stealing, and sentenced to forty lashes, to the stray pen in Vevay and, tying his wretched victim to a corner post and stripping his back to his waist, gave him the forty lashes with the new rawhide. "No mercy was shown by the official," says the local historian. "The prisoner's back was so lacerated that it was with difficulty room could be found for the last ten or fifteen stripes without striking in one of the stripes before inflicted."

If we compare these early Indiana laws with the laws of a later period we wonder at the savagery displayed in them; but if we compare them with the laws of older States we have cause for greater wonder that the savagery should so soon disappear. In England the stocks were not to disappear till 1826 and the pillory not till 1830 and as late as 1874 flogging was still a recognized mode of punishment in that country. It was not till the year 1832 that there was any considerable amelioration of the English capital criminal code. Until that year horse-stealing, cattle-stealing, sheep-stealing, stealing from a dwelling house, and forgery were still capital offenses.

But the spirit of humanity was abroad in the earth. The voices

of Sir Samuel Romilly and Sir James Mackintosh⁷ were sounding from over the sea and the Indiana statesmen of 1820 heard. Early in that year by one act they made the whipping post an impossibility in their State thence on to the present. They established a State prison at Jeffersonville and since the day the governor by his proclamation announced it was ready for the reception of prisoners there has never been a flogging by sentence of law in Indiana.

It seems proper in closing this paper that something should be said as to the causes that led to this advance step taken so early in the history of Indiana. Such a discussion is necessarily more or less speculation and it will be enough, and especially in view of the time already consumed, for me merely to hint at what to my mind seem some of the most potent causes.

1. I have already hinted at the voices that were heard sounding from over the sea. That eminent lawyer, Sir Samuel Romilly, had already been on fire in the cause of this reform and on his death Sir James Mackintosh had proved himself his worthy successor in the same humane cause. Through the efforts of these men and others of their disciples, few in numbers at the first, but increasing as the years went, the English-speaking people the world over began to hear. It was the voice of humanity calling and a response went up from the men of the wilderness.

2. In the second place let me suggest that the religious and political sentiment predominating in the West tended to a larger humanity. That great religious awakening which came in from Tennessee and Kentucky with the beginning of this century and which soon spread all over the West and Southwest, was not without its influence. One of the most interesting features of that movement was the intense, not to say ferocious, warfare between the sects it engendered. But the battles fought were with tongue and pen and we of today are just beginning to see resultant good that the soldiers of the period doubtless never dreamed of. However else those hard-hitting ecclesiastical warriors may have disagreed, they were at one in asserting the doctrine of individual responsibility. Co-ordinated with their teachings was the political dogma of the equality of all men before the law. These were truths the preaching of which by preachers and politicians "the common people heard

⁷ Sir Samuel Romilly (1757-1818) was an English barrister and statesman. His fame as a reformer rests on his treatise *Observations on the Criminal Law of England*. London, 1810. Sir James Mackintosh (1765-1832) was an English philosopher, barrister and historian. He was professor of law and politics at Haileybury for many years. He wrote voluminously on political and legal topics.

gladly" and their evident effect was a widening of the area of human sympathies and a preparation of these people for the dawn that was to come.

3. In the third and last place, and to my mind the most important one of all, Indiana was favored in her early lawyers. In the pioneer bar of the State the men of learning and ability predominated. I need not stop to explain how this happened to be so. I assert it, leaving the proof to some other occasion.

These lawyers were not only dwellers on the hilltops who saw the rising sun while the men of the valley were yet in the twilight, but their very calling as criminal lawyers quickened their humanity. Every lash that cut into the quivering flesh of a culprit was felt more keenly by his late lawyer than most laymen can well imagine.

Now these lawyers took the place in public affairs their culture and intellectual strength warranted them in taking. They were the true moulders of our State's laws, and to their influence more than to all others I think we owe the abolition of the whipping post—the last of the old barbarous punishments, at so early a period in the history of our State.

SKETCHES OF EARLY INDIANA SENATORS—(IV) JOHN TIPTON

By NINA KATHLEEN REID, A.M., Seattle

THE Tipton family first appears in history in East Tennessee during the Revolution. Jonathan Tipton was an officer under Sevier at the battle of King's Mountain, and on later campaigns against the Cherokees. An elder brother, John Tipton, was prominent in the struggle to organize the abortive State of Franklin in 1785. His attitude in this matter brought him into violent opposition to John Sevier, who at the time opposed the new community separating from North Carolina. He was one of the deputies chosen to frame a constitution for the new commonwealth, of which convention Joseph Tipton was also a member. They sat with such men as Reverent Samuel Houston, James Montgomery, George Maxwell, and John Blair. The people soon tired of this new government and decided to return to the allegiance of North Carolina. At an election for members to represent Washington county in the North Carolina Assembly, held at Sycamore Shoals on the Watauga river, Col. John Tipton was elected senator. This brought on a conflict with the new State of Franklin. Its Governor, John Sevier, at once singled out Colonel Tipton as the head of this rebellion. A bitter feud arose between these men. Tipton held court for the State of North Carolina at Buffalo, ten miles from Jonesboro, where the Franklin Supreme Court sat. Tipton headed a party, raided the court of Franklin at Jonesboro, and carried off the records. Sevier retaliated by seizing the court records in Tipton's county, Washington. These raids and counter raids were repeated so often that all semblance of regular courts disappeared.

By the year 1787 Tipton and Sevier had become implacable enemies. A compromise engineered by Evan Shelby permitted citizens of the community to own allegiance to either government. During this year, 1787, John Tipton was colonel and justice of the peace of Washington county. He was, with James Stuart and John Blair, elected representative to the North Carolina Assembly of that year, held at Tarborough. The conflict between Tipton and Sevier was growing more bitter. August 27, 1787, Tipton raided the courts of Franklin at Mulberry Grove and a rumor was started that he

had captured Governor Sevier. It was said that 1,500 mountaineers were under arms in a few hours to rescue their governor.

Early in 1788 a sheriff, acting under a *fieri facias* from the State of North Carolina, seized Governor Sevier's negroes and took them to Tipton's house for safe keeping. Sevier, who was then in the mountains fighting the Cherokee Indians, returned and laid siege to Tipton's house on Sinking creek, a branch of Watauga, ten miles east of Jonesboro. A kind of half-hearted battle followed in a snow storm in which no one attempted to kill another. Sevier, however, was worsted and his two sons fell into the hands of Tipton. A short time later Sevier himself was arrested and sent to Morganton, Burke county, North Carolina, on a charge of treason, but was rescued by his friends and returned to Jonesboro. The Legislature of North Carolina, to the disgust of Tipton, then a member, acquitted Sevier of the charge of treason and he took his seat as a representative, the State of Franklin having entirely collapsed by March, 1788.

Nothing more appears of the Tiptons until the spring of 1790, when President Washington called on Governor Blount, of the Southwest Territory, to furnish 200 troops to General St. Clair for his expedition against the Miami Indians. Capt. Jacob Tipton commanded a company. He was killed November 4, 1791, at St. Clair's defeat.

In 1793 the Southwest Territory was advanced to the Second Stage. In the first Assembly John Tipton represented Washington county. John Sevier was nominated by this body and appointed by the president as a councillor. Both Tipton and Sevier appeared as trustees of Washington College, to be established at Salem, in Washington county. Again, in 1796, John Tipton was elected a delegate from his county to the Constitutional Convention at Knoxville, serving on the committee that drafted the constitution. On the 6th day of the succeeding February he was chosen a senator from his county, while Sevier became the first governor of the State.

A new county, Carter, was established by the Legislature by dividing Washington, and the first court was held at the home of Samuel Tipton. John Tipton appeared at the same time as a trustee of the new town of Jonesboro. A short time later Governor Sevier appointed John Tipton a magistrate for Washington county. In August, 1797, Sevier was reelected governor and Tipton a State senator. Tipton was not a member of the next Assembly and we have no further record of him. The ill-feeling between him

and Sevier lasted till his death, no doubt, as he was the leading prosecutor of Sevier in the Fraudulent Land-Warrants case. Jackson took sides with Tipton. Samuel and John Tipton were both on the Legislative committee that investigated this affair.

General Jacob Tipton, son of Captain Jacob Tipton, killed at St. Clair's defeat, moved west in 1821 and was one of the first settlers in Tipton county, Tennessee, a county named for the victim of St. Clair's blunder.

The exact relationship of John, Samuel, Jonathan, Jacob, and Joshua Tipton cannot now be determined, but some, and perhaps all, were brothers. Their father is said to have come from Maryland. John seems to have been the oldest and most influential. He owned a large estate on Sinking creek near Jonesboro, East Tennessee, and associated on equal terms with President Jackson, Hugh L. White, John Sevier, Isaac Shelby, James Robertson and Senator Blount. There is no doubt as to the enmity between him and Sevier but there is no reason to believe that Sevier ever did him any such injury as tradition has preserved.

The story that Sevier encouraged the Indians to murder Joshua Tipton, the father of the Senator Tipton, of Indiana, is unfounded, and cannot be believed by anyone who appreciates the character of Sevier. On the other hand, Gilmore, in his *John Sevier, a Commonwealth Builder*, misstates the facts and without reason criticises John Tipton of Tennessee.

These details have been given at some length to show the surroundings of John Tipton, who lived in this vicinity till he was of age. He perhaps had as good an education as could be had in the community.

For some cause or other many of the Tiptons left their old home around Jonesboro about the close of the Eighteenth century and again sought the border. One of them, Abraham Tipton, was a volunteer under George Rogers Clark. Another settled in Ohio, a third, as noted above, moved west to Tipton county, Tennessee.¹

In 1807 John Tipton, the Senator from Indiana, came north and settled in Harrison county, Indiana. His father had been murdered in Tennessee about 1793. There were two sisters, a half-brother and his mother in the Tipton family when they located at Brinley's Ferry. He purchased 50 acres of land here and established a home, paying for it by making rails. As required by law he joined the

¹ These details of the Tipton family have been gathered principally from Ramsay, *Annals of Tennessee*.

militia, becoming a member of Captain Spier Spencer's Yellow Jack-ets. It was as an ensign in this regiment that he participated in the Tippecanoe campaign. He has left us an account of this in his journal, which was published in a former volume of this MAGAZINE.² He was promoted to the command of his company on the death of his commander at Tippecanoe. On his return he entered with all his energy into the defense of the frontier, which at that time was along the course of Driftwood or the East Branch of White river. He made his headquarters at Fort Vallonia.

The story of his campaigns against the Indians would fill a volume. June 30, 1812, he received a call from the farmers of White river at Driftwood Ford for help against the Indians. He started in July with nine men; five more followed in a few days. When he got there, Tipton found that the Indians, hearing of his coming, had all left the settlement. His name was enough to fill them with terror, as he was known as an unerring marksman. This expedition occupied twenty days.

The Battle of Tipton's Island, fought March 23, 1813, is famous in the history of Jackson county. In the fall of 1811 the Indians along the White river had entered into a treaty with the United States, ceding the territory south of an imaginary line beginning at the banks of the Whitewater, where Brookville is now located, and running in a southwestern direction toward the Wabash river. After this treaty was made, many families had moved into Southern Indiana and established their homes there.

The Indians violated this treaty and began to raid farms, and to steal horses and stock. The lives of the settlers were not safe. March 18, 1813, a party of pioneers at Fort Vallonia were attacked by hostile Indians while returning from a trip to the forest. A man by the name of Sturgeon was killed and four were wounded.

A call was issued to Tipton, who was then located at Fort Vallonia. He started with 29 men the next morning; March 23 he overtook a company of Delawares and Shawnees in the bottom land along the White river. The Indians fled, crossed the river on a large drift and reached the end of an island. Tipton's men began firing as soon as they saw the Indians and the latter returned the fire. When the rangers reached the island Tipton divided his forces, and surprised the enemy so by this movement that they abandoned

² Volume II, p. 170, reprinted from the *Indianapolis News*, of May 5, 1879. The manuscript is now in the hands of Mr. John H. Holliday, Indianapolis, formerly editor and proprietor of the *News*.

the fight. One Indian was killed and several wounded, while trying to swim to safety. The soldiers pursued the savages into what is now Lawrence county. None of Tipton's men were killed or wounded. From this battle the island has ever since been called Tipton's Island.

An incident of this battle shows what kind of a disciplinarian Tipton was. He had commanded absolute silence from all his men, but one big fellow insisted on talking. Tipton took away his gun, tied him to a tree and let him stay there awhile, with bullets flying around him. He was soon glad enough to promise to be still.

The following letter to Acting-Governor Gibson, written April 24, 1813, and giving a resume of his actions up to this date, during his command at Fort Vallonia, will give some idea of this part of Tipton's life:

"Since I have had command of the militia stationed on the frontier of Harrison and Clark counties, there has been much mischief done in those counties, of which I have made a correct report to Col. Robert M. Evans, believing it his duty to make report to you. On the 18th of March one man was killed and three wounded near this place (Vallonia). At that time I was not here. On my return I took twenty-nine men and went up Driftwood twenty-five miles. I met a party of Indians on an island in the river—a smart skirmish took place; and in twenty minutes I defeated them; killed one dead on the ground and saw some sink in the river; and I believe all that made their escape by swimming the river, if any done so, lost their guns. I lost no men killed or wounded. On the 16th instant two men were killed and one wounded eight miles southwest of this place, and five horses stolen. I immediately took thirty-one men and followed them three days, notwithstanding we had five large creeks to raft, and many to wade waist deep, and every day heavy rain. The third day I directed my spies to march slow (as my horses were much fatigued) and not try to overtake them until night. But contrary to my orders they came up with one who had stopped to fix his pack and fired on him. From his motions they think him mortally wounded, as he fell, but raised and run away. They all left their horses and other plunder; and the ground being hilly we could not catch them, as they were on high hills and we were in a deep hollow except the spies. Had it not been for my orders being disobeyed, I would certainly have killed them all at their camp the ensuing night. On their way out they passed the Saline Salt creek, and there took an old trail leading direct to the Delaware towns; and

it is my opinion that while the Government is supporting one part of that tribe the other is murdering our citizens.

"It is much to be desired that those rascals, of whatever tribe they be, harboring about those towns should be routed, which could be done with one hundred men in seven days. If there is not effective measures taken to guard this place the whole of Clark and Harrison counties will break. It is rumored that when the militia come out the rangers will be dismissed. If so our case is a dangerous one as it is hard for mounted men to range through the swamps and backwater of Driftwood and Muscatituck rivers as they have been, most of the season, more than a mile wide, by reason of low marshy bottoms that overflow, and many times three or four miles wide. They (the Indians) come in and secrete themselves on some high ground surrounded with water, and by help of bark canoes come in and do mischief, and until I came out could not be found. Since I came out they have made two attempts to take off the horses. The first time on the 12th instant, I took all their horses but one; the last I took all and followed them with footmen. The last time we lived three days on a little venison, without bread or salt; and I believe if there are to be rangers there should be spies of young and hardy footmen who could lay and scout through the swamps and thickets like the Indians do, and then we'll be secure—not else. I have been constantly out for the last eight days, on foot, wading and rafting the creeks; have seen much signs of Indians, such as camps where they have lain, killed hogs and cattle to live on, and made many canoes to approach our settlements; and I am conscious if you had not ordered out the additional companies and made those excellent arrangements of the 9th of February, the whole frontier would have been murdered ere now. The citizens are now living between hope and despair waiting to know their doom."³

During the first half of the year 1813 the Indians were troublesome in northern Indiana. Tipton accompanied several expeditions against them. By the middle of the summer all signs of trouble had disappeared. At the declaration of peace at the close of the War of 1812, Tipton, for his services, was promoted by President Monroe to the rank of brigadier-general. He then returned to his home in Harrison county and began his career in public life.

Tipton had been appointed justice of the peace of Harrison county

³ Daniel McDonald, *History of Freemasonry in Indiana*. Indianapolis, 1898. Published by the Grand Lodge.

June 20, 1811.⁴ At the first election under the State constitution, August, 1816, he was elected sheriff. He was afterwards reelected and served until August, 1819, when he was elected representative to the State Legislature from Harrison county.

January 11, 1820, the Legislature appointed George Hunt, John Conner, John Gilliland, Stephen Ludlow, Joseph Bartholomew, John Tipton, Jesse B. Durham, Frederick Rapp, William Prince and Thomas Emerson commissioners to locate the new capital for the State. May 17, 1820, Tipton, with Governor Jennings, started from Corydon on this mission.

On this trip to select the capital Tipton kept a journal of the trip, and it shows a remarkable improvement in spelling and writing over the journal he kept on his campaign to Tippecanoe.⁵

At the August election, 1821, Tipton was reelected to the State Legislature from his county. In the following session he was appointed commissioner by the Legislature of Indiana to meet the commissioner from Illinois and establish the boundary line between the two States. The work was done the following summer, and although Tipton insisted that there was an error, and that the site of Chicago should be in Indiana, the report was ratified by the Legislature at the session of 1822-23.

In March, 1823, Tipton was appointed by President Monroe general agent for the Pottawatomie and Miami Indians in northern Indiana. He moved to Fort Wayne, where the agency was located, living then in a block house. He was the moving spirit in the agitation for the formation of a new county, of which Fort Wayne was to be the county seat.⁶

A bill was passed and approved December 17, 1823, to form a new county out of Randolph and Delaware counties. At the suggestion of Tipton it was provided that the new county should be called Allen, in honor of Col. John Allen, of Kentucky, who had been killed January 22, 1813, at the battle of the River Raisin.

May 27, 1824, Tipton was appointed county agent and filed his bond for \$5,000 with Alexander Ewing and Samuel Hanna as sureties. He had as a part of his duties the sale of the lands deeded to the county in consideration of the location of the county seat at that place.

⁴ *Executive Journal*, p. 174.

⁵ Tipton's Journal was printed in the *Indiana Magazine of History* in the March and June issues of 1905. The substance of this is given by John H. Benton in an article in the *Brownstown Banner* October 15, 1913.

⁶ *History of the Upper Maumee*, II, p. 374.

In 1826, while he was agent at Fort Wayne, Tipton, together with General Lewis Cass and Governor James B. Ray, was appointed by President Adams to negotiate a treaty with the Miamis and Pottawatomies for their lands. Tipton was chosen because of his success in dealing with, and his wide personal acquaintance with the red men.

A treaty was made with the Pottawatomies, October 16, 1826, by which they ceded a strip of land 100 feet wide for a road from Lake Michigan to the Wabash, and one section of land contiguous to the road for each mile of the same. This land was to be sold and the money used for the construction of the Michigan Road, a great project in those days of difficult travel. In 1827 Congress passed an act authorizing the road, and January 24, 1828, the State Legislature provided for its survey. By February, 1832, the road had been opened from the Ohio river through Indianapolis to Logansport, and in 1834 the work was completed, and the road opened.

A treaty was made by these same commissioners, October 23, 1826, with the Miamis, by which they ceded to the United States all claims of land north and west of the Wabash and Miami rivers and reaffirmed the cession that had been made by the treaty at St. Mary's October 6, 1818. By these two treaties these two tribes ceded all their lands in the northwest part of the State, excepting individual reservations. Thus the wars that had been a perpetual menace to the settlers were brought to an end.

On March 28, 1828, Tipton moved the Indian agency from Fort Wayne to the Wabash river, opposite the mouth of Eel river, thinking this a more central point. Here Alexander Chamberlain, familiarly known as "Aleck," had built a cabin and later a double two-story hewed-log building, which he used as a tavern. Tipton established his headquarters at the tavern, which he bought April 3, 1829, together with the tract of land it was on, for \$725. He then put up other buildings for the agency. One of these was the little one-story frame house, with a porch in front, standing a few feet to the west. After Tipton had moved with his agency to this place houses were built rapidly and there was soon quite a settlement. When the question of naming the village arose, Tipton, with a reverence of an educated man for the classics, preferred a Latin compound meaning "Mouth of the Eel," but was overruled.

Early in September, 1828, the citizens of this little town of Logansport began to consider the subject of education. Five hundred dollars was raised for the purpose of starting a seminary, of which amount Tipton paid \$150. September 27, 1828, a meeting of citizens

was held to appoint a committee on building and organization. The "Eel River Seminary" was incorporated January 1, 1829, with Tipton as its first president.⁷

Tipton had a great deal to do with the growth and prosperity of Logansport. He built the first flouring mill erected in the vicinity in 1828. It was called Forest Mill and was at first a saw mill. He was interested in constructing school houses and raising money to pay the teachers. He was interested in the original plat of the town, being at the same time proprietor of four additions which he laid out August 3, 1833; June 8, 1835; October 5, 1835; and October 27, 1835. Moreover, he was at the head of almost every movement for the improvement and progress of Cass county. It may be truly said that Logansport owes more to him than to any other man.

Some interesting letters that show John Tipton's character were printed in the Indianapolis *Indiana Journal* in December, 1829, while he was Indian agent. The people of Cass county had published an address in the *Indiana Journal* of October 29, 1829, on the subject of the Wabash and Erie Canal and the Michigan Road. John Ewing, State senator from Knox county, in reply, published a letter in the same paper, November 21, 1829, to the citizens of Indiana. In this letter he claimed that the people of Cass county were interested in the progress of the Wabash Canal and the Michigan Road, because they would benefit them most. He advocated selling the lands along the canal for credit instead of for cash, as the latter policy would prevent a great many people from buying, and thus hinder the building of the canal.

This was too much for Tipton. He immediately wrote a letter, which was printed in the Logansport *Pottawatomie and Miami Times*, and on December 8, 1829, in the Indianapolis *Indiana Journal* "by request." It was addressed to John Ewing and signed "Keep Dark John." In this letter he accused Ewing of wanting to sell the canal lands on credit so as to get the people in debt, and thus secure a job as loan commissioner. This credit system, however, he said, was not Ewing's scheme originally but that of a man of high standing who was using him as a "cat's paw." "In all societies, John," Tipton went on to say, "old maids are allowed their cats, parrots and canary birds; old bachelors their whims, hobbies and gouty spleens, and you must in charity be allowed yours. But, sir, the road and canal are great State objects, nor shall you ride them, John, unless you ride them fair." He accused Ewing of having a temper that

⁷ Helm, *History of Cass County, Indiana*.

made him imagine all men his enemies, while the men he so considered, though annoyed by Ewing's conduct, regarded him as such a nonentity that they could look on him only with pity and contempt. He also charged Ewing with having deceived the Indians in the treaty with the Miamis and Pottawatomies in 1826. He closed with a story about a speculator, a man high in office, who rode an old lame horse to an Indian treaty. This horse had all the ailments a horse could have. Finding that the horse was about to die, he got an Indian interpreter to influence another Indian, in return for some whiskey, to ask the commissioners for the poor lame horse. The commissioners were made to believe that unless the Indian got this horse negotiations would fail. They, therefore, ordered it to be valued very high and paid for out of the public money. The letter ended thus: "Was this transaction fair? Was the seller a citizen of Cass or Logansport? No, no, would you believe it, John, he was a citizen of ould Knoax."

In the *Indianapolis Journal* of December 16, 1829, Ewing attacked Tipton. He had applied to the *Journal* for the name of the person who "requested" the publication of "Keep Dark John" and found that it was Tipton himself. He spoke of the "vulgar ribaldry and wilful falsehood" of the letter and refuted it. In the same issue of the *Journal* he published a letter of his to Tipton, who was then in Indianapolis, in which he asked the latter to prove the charges he had made. Tipton would not commit himself, but asked Ewing to come to his room. This Ewing refused to do. Tipton left Indianapolis the next day without answering Ewing's last letter. Ewing published in this same issue of the *Indianapolis Journal* letters from James B. Ray, Governor of Indiana, who had been one of the commissioners at the treaty in question, James Gregory and William Connor. All these men disclaimed any knowledge of unfair dealings on Ewing's part at the treaty in 1826. Ewing went on to accuse Tipton of unfairness as an Indian agent, by means of which he had grown wealthy.

Tipton, on the day he left town, had heard that Ewing was to attack him in the *Journal*. He wrote a letter to the *Journal*, in which he said that if "John" had only called on him, or if he could consider him a gentleman worthy of notice, he would show the world that the half had not been told. However, Ewing was not worthy of notice, "Nor will I take any further notice On Paper of his writings or sayings. His pen or his tongue, where he is known, is no slander: suffice it therefore to say that it is John Ewing."

When James Noble, United States Senator from Indiana, died, February 26, 1831, Governor Ray appointed Robert Hanna to fill the vacancy. Soon after this a movement was started on foot to have the Legislature elect Tipton to the United States Senate. He received many letters on the subject. In a letter to Dr. James H. Stewart, of Delphi, July 23, 1831, he expressed his preference for the situation of Indian agent, which he then held. He said he was not seeking office and would regard it as a sacrifice of peace and property. His talent, he did not think, was of the kind that should be in the United States Senate.⁸

Tipton finally gave way to the entreaties of his friends and allowed his name to go before the Legislature as a candidate. The election took place December 8 and 9, 1831. The first six ballots were taken December 8 and the last ballot the next day. On the first ballot, Samuel Judah, received 36 votes, Jesse L. Holman, 23 Thomas L. Blake 23, James Rariden 16, Jonathan Jennings 3, John Tipton 1, John Test 1, not voting 2. On the second ballot he received 4 votes, on the third 10, and increased until the seventh, when he was elected by a vote of 55. Judah received 3, Holman 36, Blake 5, Rariden 1, and Milton Stapp 3, on the last ballot.

Tipton took his seat in the United States Senate January 3, 1832. In this session he had a great deal to say on the subject of Indian affairs, and pioneer that he was, showed his knowledge of Indian character.

May 28, 1832, when the bill for appropriations for the Indian department for 1832 was up in the Senate, Tipton moved to amend the bill by striking out the proviso that no part of the appropriation should be used to reward Indians for settling disputes among themselves. He thought it was better to bribe the Indians by means of a few blankets if bloodshed could thus be avoided. Most of the Senators were opposed to this giving of bribes, as they called it. Tipton's amendment was lost by a vote of 7 to 34.⁹

May 31, of the same year, Tipton discussed the Indian war then raging in Indiana. This war, he said, was due to the encroachment of the white men on the lands of the Indians, whose complaints had not been listened to by the Government.¹⁰

June 9, 1832, Tipton introduced a bill in the Senate authorizing the President to raise five companies of rangers for the protection

⁸ Dr. James H. Stewart, *Recollections of Carroll County*, p. 134.

⁹ *Congressional Debates*, VIII, p. 978.

¹⁰ *Congressional Debates*, VIII, p. 991.

of the frontiers. He showed how necessary such a band of men was for the safety of the frontiers. Ordinary soldiers, he argued, would not do for this service. They needed men who were acquainted with the habits of the Indians, who had been raised on the frontier with a rifle in their hands. He urged the immediate passage of the bill, as the lives of the people on the frontier were in danger at this time. At least 500 rangers were necessary to keep peace. "An Indian has no love for the American people. Missions, teachers, preachers sent to them have not civilized them nor will the long prayers made nor the hypocritical hands held up in eastern cities in behalf of the poor Indians have much effect in warding off scalping-knives from our heads."¹¹ Tipton prophesied that if help was not immediately sent to the frontier the pioneers would take matters in their own hands and exterminate the Indians from the Tippecanoe river to the Mississippi before another year. Then the East would say that the western people "had murdered the poor Indians." Tipton's bill was passed in a slightly modified form.¹²

At the next session of Congress Tipton was placed on the Committees on Military Affairs and Public Lands.¹³

He was re-elected January 5, 1833, on the nineteenth ballot, receiving 54 votes, Dewey 9, Patterson 11, McCarty 16, scattering 14. On the last ballot 30 National Republican votes were given to Tipton.¹⁴

December 16, 1833, Tipton was placed on the Committees on Military Affairs, Indian Affairs and Claims. During all the remaining time that he was in the Senate he served on these committees. In 1837, after Hendricks had left the Senate, Tipton took his place as chairman of the Committee on Roads and Canals.¹⁵

Tipton, like all Western men, did all he could to help on the building of roads and canals. In 1833 he introduced a series of resolutions regarding the building of harbors on Lake Michigan.¹⁶ The next year he introduced a resolution regarding the improvement of the navigation of the Wabash. At the time he presented the resolution he spoke of a bill with this same object which had been vetoed at the last session by Jackson. This attitude of the President

¹¹ *Congressional Debates*, VIII, p. 1075.

¹² *Congressional Debates*, VIII, p. 1076.

¹³ *Congressional Debates*, IX, p. 4.

¹⁴ *Niles' Register*, XLIII, p. 301.

¹⁵ *Congressional Debates*, X, p. 43.

¹⁶ *Congressional Debates*, X, p. 50.

he thought was due to the misunderstanding of the importance of the matter. He closed by saying that no man need expect the votes of more than one-fourth of the men in the Mississippi valley at the next Presidential election if he was opposed to the improvement of rivers.¹⁷

In a speech, December 24, on the same subject, Tipton mentioned the attacks that had been made on him by the *Congressional Globe* with the purpose, he avowed, of arraying the Jackson party in Indiana against him. The Washington (D. C.) *Globe* insinuated that Tipton's interest in improving the Wabash was due to the fact that he owned a great deal of land along that river. Tipton closed as follows: "If any persons have charges to prefer against me, let them be brought forward. I stand ready to meet them at all times and in all places. I have no favors to ask; but if it is expected to deter me from my duty by such attacks, they are mistaken. I shall vote according to my own sense of right, without being driven from my course by threats or insinuations."¹⁸

Tipton, like Hendricks, tried to get appropriations every year for the National Road. February 26, 1836, in the debate on the National Road bill, Clay opposed the bill. Tipton was sorry to see his old friend separating from him on a vote over internal improvements. Clay had remarked that it was strange that Hendricks and Tipton asked for appropriations for the road when the whole system of internal improvements had been abandoned by the Democratic administrations. To this Tipton replied, in characteristic fashion, that in his support of any administration he would go with them no farther than they followed the course he thought was honorable and to the interest of his country. "I look to the wishes of a majority of my constituents and to my judgment of what is right and wrong for the rule of my conduct here, and not to the will of a chief magistrate, or of any other individual, public or private. I care not who is president of the United States. If he administers the Government agreeably to the constitution and the laws he has a right to expect my support and on no other terms."¹⁹

On the public land questions Tipton agreed with Hendricks in favoring "graduation." January 23, 1837, he moved an amendment to Clay's Land Bill, providing for "graduation." This amendment was lost January 24.²⁰

¹⁷ *Congressional Debates*, XI, p. 13.

¹⁸ *Congressional Debates*, XI, p. 70.

¹⁹ *Congressional Debates*, XII, p. 619.

²⁰ *Congressional Debates*, XIII, p. 530.

Tipton's views on the subject of the tariff can be seen in his speech February 25, 1837, on the bill to reduce the duties on certain imported articles. At this time he said he thought American statesmen in their legislation ought to think not merely of revenue, but also of protection for American industry. Clay that could be used to make the finest china was to be found in Indiana; the blankets given to Indians at treaties could be made also in his own State if the Government would protect the wool. He was in favor of abolishing the duties on articles used by the poor, but he wanted the rich to pay the duty on luxuries.²¹

Tipton believed that the army of the United States was not large enough. February 5, 1836, he introduced a resolution looking toward an increase in the army. His idea was that the surest way to prevent war was to prepare for it. There were not enough troops at this time to occupy all the military posts. A bill was reported and passed the Senate June 21, but did not become a law.²²

At the first session of the Fifteenth Congress, which was held September 4 to October 16, 1837, Van Buren's plan of a Sub-Treasury system was taken up. In the debate on this question, September 23, Tipton expressed the belief that the cause of the panic of that year was Jackson's unfortunate tampering with the currency and the public deposits.²³ He disapproved of the Sub-Treasury bill, as it would give too much power to the executive. The regulation of the currency and the deposits of public money he thought should be under laws passed by Congress and not left to the President and Secretary of the Treasury.²⁴ Speaking of the bills for the issue of treasury notes and collection from deposit banks which had passed the Senate, he remarked that if these bills became laws, he would be glad to go back to his masters, the people, and find out what they wanted done further. "I do not stand here," he said, "to register the executive will, but look to the boys of the West, those with hard hands, warm hearts and strong arms, who fell the forest, hold the plough and repel foreign invasion, for my instructions. It is their wishes and interests that I came here to represent."²⁵

In 1838 a bill to organize the Indians who were living west of Missouri and Arkansas into a territory was presented in the Senate.

²¹ *Congressional Debates*, XIII, p. 978.

²² *Congressional Debates*, XII, p. 387.

²³ *Congressional Debates*, XIV, p. 244.

²⁴ *Congressional Debates*, XIV, p. 247.

²⁵ *Congressional Debates*, XIV, p. 247.

Tipton was anxious for this bill to pass. He thought the Indians were capable of a high state of civilization if they were given a government and lands suited to them. Senator King of Alabama proposed as an amendment to the bill that all the country west of the Mississippi and north of the Missouri river to which the Indian title was extinguished be set apart for the northern Indians.²⁶ Tipton objected to this amendment because he did not wish to see another slave State made out of this territory. He spoke reluctantly on the subject of slavery into which he had been drawn. The extension of slavery, he said, into territory where it did not already exist, he decidedly opposed. However, he had no sympathy with the Abolition movement. He did not believe in disturbing the people of the slaveholding States in their rights of property. If people wanted to live in slave States they could settle south of the line of the Missouri Compromise, or north of it if they preferred to live in a free State.²⁷

In his circular to the people of Indiana, written from Washington on the last day of the first session of the Twenty-Fourth Congress, Tipton mentioned the subject of the annexation of Texas, which had been discussed in Congress. Tipton was not in favor of annexation, as he thought the climate of Texas might cause the people to use slave labor. "While we should scrupulously refrain from interfering with this institution in the States of our Union where it now exists, we should also be careful to do nothing that will tend to its further propagation among us."²⁸

Some further quotations from this circular will show the matters before Congress in which Tipton took most interest:

It has been a question of much interest how this large surplus [from the sale of public lands] could be constitutionally disposed of. Much of the time of this session has been spent in discussion upon this subject and at a late day a law regulating the deposits of the public money was passed. The law provides that after leaving in the treasury of the United States five millions of dollars the surplus is, on the first of January, 1837, to be deposited with such of the several States as shall by law authorize their treasurer or competent authority to receive the same, in proportion to their respective representation in the Senate and House of Representatives of the United States. . . . The portion that Indiana will receive will probably equal one million dollars. The circulation of this money, together with the large sums flowing into our country from abroad, will unquestionably make the money market easy, and will enable the Fund Commissioners to procure the necessary funds to carry

²⁶ *Congressional Globe*, IV, p. 315.

²⁷ *Congressional Globe*, VI, p. 347.

²⁸ *Logansport Canal Telegraph*, August 6, 1836.

on our public works. Our portion of the Surplus Revenue will enable Indiana to push forward her great schemes of Internal Improvement with spirit and economy.

A bill establishing a number of new post routes in all the States became a law. In this Indiana has been amply provided for. All the routes asked for by our citizens, so far as I know, have been established; and in the northern part of the State, I procured the insertion of some new routes on which it may not be necessary to put the mail at this time. The routes from Fort Wayne via Turkey Creek Prairie to Ottawa; from Peru to Sparta, and that from Strawtown via Camden to Delphi, may be of this class.²⁹

An appropriation of two hundred and fifty thousand dollars was made for the continuation of the Cumberland Road in Indiana, and for procuring materials for a bridge over the Wabash at Terre Haute. Twenty thousand dollars were also appropriated for the commencement of a harbor at Michigan City. A bill passed the Senate, but was left among the unfinished business of the House of Representatives authorizing the purchase by the United States of the stock owned by individuals in the Louisville and Portland Canal, for the purpose of relieving the navigation of the Ohio from the payment of extravagant tolls to the Canal Company.

The bill appropriating fifty thousand dollars to improve the navigation of the Wabash was not finally acted on by the House of Representatives, although it passed the Senate at an early day of the session.

Treaties have been lately concluded by Colonel A. C. Pepper with the Pottawatomie tribe of Indians for most of their land in our State. These treaties have been ratified by the President and Senate, and there now remains no doubt that these Indians will very soon remove to their new homes west of the Mississippi, stipulations to that effect having been embraced in each treaty.

I regret to state that our repeated attempts at negotiation with the Miamis have been, as yet, unsuccessful. In 1832 an appropriation was made by Congress and commissioners appointed who endeavored to purchase the land belonging to the tribe; but they did not succeed. In 1833 commissioners were again appointed by the President, one of whom was the agent for the Miamis. . . . They spent some time and a considerable amount of money, but without effecting a purchase. The next year the delegation in Congress from the State requested the Executive to make another effort, and in the fall of that year articles of a treaty were signed by the Indians, ceding a small portion of their lands, but reserving from sale some of the best and most valuable tracts, situated on and near the line of our canal. The President made objections to this treaty and refused to submit it to the Senate for ratification. I was anxious that it might be ratified, because I considered it the best that could be obtained. As some have asserted that I was opposed to its ratification, I annex a copy of my letter of the 15th day of June to the Secretary of War on that subject and his reply thereto.

“Washington, June 15, 1836.

“Sir: A report has been circulated to my prejudice in Indiana, that I opposed the ratification of the Treaty, negotiated by General Marshall, with the

²⁹ This business of establishing post roads was the “pork barrel” of the Congressmen of that day.

Miami tribe of Indians in October, 1834. To enable me to disabuse the public mind on that subject, and to establish the falsehood of the charge, I am compelled to ask you to state the substance of a conversation that took place between the President of the United States, you, and myself, the morning after you requested an interview with the delegation from Indiana respecting that treaty. Be good enough to state whether I did not inform the President and yourself that I was anxious to ratify each and every part of that treaty, except the provision making it the duty of the President to purchase from the State of Indiana for the Indians, a strip of land, six chains in width, granted by the Treaty of 1826, for the purpose of constructing roads, or canals, through Indian reservations, and whether I have not frequently expressed this to be my intention and wishes.

"Your obedient servant,
 "Hon. Lewis Cass, Secretary of War."

"JOHN TIPTON.

Secretary Cass answered June 30:

"Sir: In answer to your letter I have the honor to inform you that my recollection of your views respecting the ratification of the Miami Treaty coincides with your statement. I have conversed with the President on the subject to-day and this also is his opinion.

"Your obedient servant,
 "Gen. John Tipton, Senate."

"LEWIS CASS.

December 7, 1837, Tipton presented a petition from citizens of Indiana, residing in Miami county, praying Congress to pass a law granting pre-emption rights to the lands along the canal, ceded by the Miamis at the treaty in 1834. This resolution was referred to the Committee on Public Lands, and a bill was reported. In this debate, January 25, 1838, Tipton opposed Senator O. H. Smith, of Indiana, who thought that as these lands had been given to aid the State in internal improvements, pre-emption rights should not be granted. Tipton spoke of the suffering the settlers in these lands had undergone while penetrating the forests, cutting down the trees, and breaking the soil, to show that they were entitled to pre-emption.³⁰

The Legislature of Indiana, a few days before the close of the session of 1838, introduced a resolution of censure on the subject of the vote given by Tipton on the Pre-emption Bill, pronouncing this a violation of the trust confided in him. This resolution was adopted by a vote of 34 to 8, Senator John Ewing, of Knox, Tipton's former enemy, being one of the few to vote against it.³¹

As soon as Tipton heard of this resolution he replied in a letter to the Indianapolis *Indiana Democrat* saying that he had been in public life for more than a quarter of a century and this was the

³⁰ *Congressional Globe*, VI, p. 137.

³¹ *Logansport Herald*, March 1, 1838.

first time that he had been charged with the violation of public duty from a respectable source. He thought it strange that he was to be censured because he had had a difference of opinion from Senator Smith. He had received a letter informing him that one senator who voted for the resolution had done so because he had been informed that Tipton had chosen the best parts of the Miami lands, and put persons there to make improvements so that he might claim them under the pre-emption laws. This charge, he declared, was false. Tipton went on to say that he had never begged his seat in the Senate; on the contrary, he was anxious to retire from public life and firmly intended to do so at the end of his term. He closed his letter as follows: "I would scorn to hold a seat in the United States Senate one day after a majority of my constituents wished another to fill the place I now hold; but I am not to be deterred from a faithful discharge of my duty to our State by the assaults of envious enemies or the aspirations of those who wish to force themselves into the place I now occupy."³²

In a letter written in Washington May 7, 1838, and printed in the Indianapolis *Indiana Democrat*, Tipton declined to consider a third term in the Senate. He had received many letters from members of both the Whig and Democratic parties, asking him to run for another term. His principal reason for refusing was his desire to superintend the education of his children. In this letter he mentioned the fact that, although he was a devout Democrat, many Whigs had supported him.³³ Such diverse papers as the Logansport *Herald* and the Richmond *Wayne Chronicle* supported him.

In the latter part of the summer and the early fall of 1838 Tipton won great praise for his success in removing the Pottawatomies from their lands in Indiana to their new home beyond the Mississippi. By a treaty made in 1832 the Pottawatomies had sold all claims to land in Indiana except a few small reservations. These reservations had been bought up by Colonel Abel C. Pepper, who had been appointed by Jackson for the purpose in 1836. By a treaty made in 1836, the Indians had reserved the right to stay on this land two years. The time was up August 5, 1838, but the Indians would not give up to the settlers who demanded possession. A quarrel followed. The Indians chopped down the door of a Mr. Waters and threatened his life; the whites burned ten or twelve Indian cabins.³⁴

³² Logansport *Herald*, April 19, 1838.

³³ Logansport *Telegraph*, June 9, 1838.

³⁴ Logansport *Herald*, November 15, 1838.

Colonel Abel C. Pepper, Indian Agent, wrote a letter from Logansport to Governor David Wallace telling of this trouble on the Pottawatomie Reservation and asking the Governor to send him an officer with 100 volunteers. Wallace the next day wrote to John Tipton, authorizing him to take command of a company of volunteers and report to Pepper.

Tipton immediately proceeded to organize the corps, informing the Governor that being a United States senator he would accept no pay for his services. He left Logansport, August 28, for Chippewa, where he stayed until 3 o'clock the next day. He arrived at Twin Lake, August 30, at 11:30 o'clock. Here he found Pepper holding a conference with the chiefs of all the Pottawatomies east of the Mississippi. They gave no explanation to Tipton of their recent conduct. The next day, August 31, Tipton organized his volunteers with the following officers: David Evans, major; N. D. Grover, E. A. Hannegan and Joseph Holman, captains; S. Lasselle and James Nash, first lieutenants; Samuel B. Linton, second lieutenant; William Wilson, Washington Holman and Charles McClure, ensigns; Job B. Eldridge, lieutenant, and Benjamin H. Smith ensign of the volunteer dragoons.

September 1 and 2 a number of the Pottawatomies came to Tipton with their families and property, expressing a desire to move beyond the Mississippi. At 2 o'clock on the afternoon of September 2, Tipton began enrolling them, and by sunset had enrolled 700. The next day he enrolled 47 more and began to load the Indians' baggage in his thirteen army wagons. Early on the morning of September 4 they left Twin Lake, and got to Chippewa by sunset, where they were joined by a few more Indians. At 9 o'clock September 5 they left Chippewa. The Indians had only 280 horses, so that many of the women and old men went on foot.

At the encampment at Logansport, September 8, 1838. Tipton discharged the volunteers under Captain Holman and Lieutenant Eldridge. The dragoons under Ensign B. H. Smith's command went with the Indians.³⁵

September 18, 1838, near Sandusky Point, Illinois, Tipton delivered his Indians, 859 in all, to his uncle, Judge William Polke, who had been appointed to conduct them to their new homes.

September 20 Tipton discharged all the men except fourteen dragoons under Ensign Smith, who were to accompany Judge Polke. Tipton received much commendation for the manner in

³⁵ Logansport *Herald*, November 8, 1838.

which he accomplished this removal of the Indians without any bloodshed.⁸⁶

March 3, 1839, Tipton's term in the Senate expired. He retired to his home in Logansport, hoping to enjoy the private life he desired so much. His death occurred a little more than a month later, April 5, his stubborn courage having given way at the death of his wife a few days before.

In private life General Tipton was an energetic, public-spirited citizen. He was a magnificent specimen of the pioneer, more like Boone, Kenton, Clark, or Jo. Daviess than like the elder Harrison and Lincoln. His proud haughty nature was an evidence of his early life and training among slave owners. Two cities of Indiana enjoyed his patronage, yet at his death in neither of them, Logansport nor Columbus, could it be said that he was popular. The following paragraph, written by Senator Tipton thirty-nine days before his death, in answer to a personal attack by one of his neighbors, will show both sides of his character:

For the information of the people who have settled in the vicinity since 1830, I submit the following remarks and call on those who were here at an earlier day to correct any errors into which my recollection of transactions long since gone by may lead me.

When the town plat was surveyed in 1828, I advised the proprietors to sell lots very low—from fifty to seventy-five dollars,—and to receive in payment manufactured articles or labor of the mechanic. If Mr. B. [author of the article attacking him. However, it was Williamson Wright and not Mr. B.] will inquire of C. Carter, H. B. McKeen, Colonel Ewing, and C. Taber they can inform him that I paid \$50 for the lot on which General Grover now lives, and gave it to the first physician who settled in town, and \$75 for the lot on which Washington Hall was erected, and gave it to a person provided he would establish a tavern thereon. The records will tell who paid most of the money for the erection of the seminary, teacher's house and other public buildings, and to establishing printing presses in town. The very respectable religious societies who have built the chapel and churches in town will, I hope, not think it indecorous in me to refer the inquisitive to them for proof of what I have done to assist them. Not a public building has been erected in town to which I have not contributed, and I state it as my firm belief that I have advanced more money and property to public objects than any twenty men in town. I challenge Mr. B. to investigate the matter—the materials are within his reach to enable him to ascertain the facts, and if I have not contributed more than himself and any other nineteen men in town, then I promise to do so as soon as it can be shown that I am in error in this matter.

But enough of this! Why should I spend time in combating an anonymous scribbler before a community who heard a stupid dolt in the form of a

⁸⁶ For a detailed account of this see article by Logan Esary in *Indianapolis News*, October 28, 1912.

man, professing to belong to that most honorable profession, the *law*, in town meeting, when the subject under consideration was the propriety of securing a city charter, declare that his object in going in for the measure was to reach my property around town with a tax for the benefit of the corporation. I cannot, will not believe that a majority of my neighbors possess such fiend-like feelings to me. . . .

While I was a public man I freely admitted the right of every citizen to investigate the conduct of their public servants and paid but little attention to ill-natured remarks thrown out against me; but, having retired from all public concerns to my farm in sight of the village where I had hoped to live in peace and expect to die, I feel that I am one of the humblest of the humble citizens of our county. Yet I will guard my reputation with the same tenacity now that I did thirty-one years ago when I first entered Indiana territory an orphan boy, in pursuit of fortune and fame. And he that assails me may expect a manly resistance.³⁷

The letter is entirely characteristic. He went far afield in search of quarrels. He expected his leadership to stand unchallenged. His experience with the founders of the city of Columbus, to which place he had moved soon after the close of the War of 1812 is evidence. Unable to impress his leadership on the founders of the village, so the tradition goes, and angered perhaps because they changed the name from Tiptona to Columbus, Tipton quit the town, for which he had donated part of his land, and vowed never to set foot on its streets again.

Tipton was married twice. His first wife was his cousin, Jennie Shields, a daughter of John Shields, a member of the Lewis and Clark expedition. Of their two children, Speier Spencer Tipton graduated at West Point and was killed in the Mexican war, and Matilda died in her eighteenth year while in school. His second wife was the daughter of his old captain, Speier Spencer. She was the niece of Judge William Polk and as a small child had been carried into captivity by the Indians, and with her mother, brothers and sisters, spending a year in captivity, with the Indians in and around Detroit. They had three children, two of whom died in California in the '60s. The third lived at Logansport, where his descendants still reside.

John Tipton became a member of Pisgah Lodge of Free Masons soon after he came to Corydon. September 14, 1820, he was elected Grand Master of the State Lodge, the third to fill that position. He was reelected November 28, 1828. When he moved to Logansport he helped to organize a society of Masons, which, in his honor, was named Tipton Lodge.

³⁷ Logansport *Herald*, February 28, 1839.

In many respects Tipton was a remarkable man. His life was picturesque. Among the Indians, in the camps, or in the humble cabins of the rough pioneers, he was at home. As an Indian agent he ranks with George Rogers Clark and Anthony Wayne. At the Treaty Grounds his imperious manner held the Indians in submission. His lack of education, if there was a lack, was so far overcome in after life that he was at no disadvantage in the United States Senate, where he associated with General Cass, Presidents Van Buren and Jackson and Senators Benton and Clay on easy and equal terms. He had little time for the more polished members from the East. He was not an elegant or eloquent speaker, but usually went directly to the point. He could not stand the lash of criticism, and for that reason rarely engaged in debate. He had no patience with policy or evasion. He was an ardent Jackson man, but when that President refused to sign a bill to improve the navigation of the Wabash, after having signed one to improve the Tennessee, Tipton laid the cudgels on him without hesitation. In politics he was so liberal that at this day we hardly know how to classify him. He supported Clay, Jackson, Van Buren, Harrison, Cass, the tariff, internal improvements, and especially Jackson's Indian policy. He was a law to himself in politics and recognized no master.

A TOWN LOT ADVERTISEMENT OF 1836

By W. O. LYNCH, Professor of American History, Indiana State Normal School

THE Panic of 1837, the boom times that preceded it, and the long period of depression that followed, had a profound influence on the political and social development of the "Old Northwest." The discontent of the years of hard times would not have been so deep had not the contrast between the opportunities and possible returns of that period and the bright visions of the speculative years preceding been so great. Before the panic speculation had run riot, credit had enormously expanded, and property values had gone up by leaps and bounds. Contemporaries tell of the enthusiasm with which men selected town sites and cut up the land into town lots. The belief became current that towns and cities would grow without limit. "Wherever the surveyor took the magic chain and compass—no matter how remote from population—there it became certain that a mighty city would at no distant day arise. Paper cities flourished in a manner unparalleled, and the public mind was utterly diseased."¹ So wrote one shrewd observer, and regarding the same mania of town-lot speculation another writer said: "Agriculture and all the substantial enterprises which contribute to the solid glory of a people were neglected. The land swarmed with greedy speculators who cut up the woods into paper villages and constructed in imagination a chain of compact cities from the head of the St. Clair to the rapids of the Maumee. This was the period when there was the most immigration into the territory, and the greatest influx of temporary travelers. Many were defrauded. The log cabins swarmed with buyers and sellers, when there was scarcely food enough to maintain the vast accession to the population."²

The following advertisement of a lot sale in an Indiana town published in the *Indiana Journal* (Indianapolis) under date of September 2, 1836, is a striking example of the rosy-hued visions which

¹ Joseph N. Balestier, *The Annals of Chicago* (January, 1840), reprinted in *Fergus Historical Series* No. 1.

² James H. Lanman, "The Progress of the North West," *Hunt's Merchants' Magazine*, III, p. 39 (July, 1840).

the promoters of a new town could behold when gazing into the future:

"SALE OF TOWN LOTS AT PITTSBURG"³

"The Head of Steam Navigation on the Wabash"

"The subscribers will offer for sale on the town plat, by public auction, on the 9th and 10th days of September, between 200 and 300 valuable Building Lots, in the above mentioned town. The town of Pittsburg is situated on the west bank of the Wabash River, immediately opposite West Delphi and about one and one half miles from Delphi, the county seat of Carroll Co. The local advantages of Pittsburg need only to be stated to be appreciated by every impartial individual. At this place is located the great dam in the pool of which the Wabash and Erie Canal crosses the Wabash river, and which will be put under contract at the canal letting on the 23d inst. The upper edge of the town plat extends up to the dam. The dam will be eleven feet in height, and will, beyond doubt, afford the largest amount of water power in this State, and probably greater than any in the western country. The fall of water in the lower part of town will be between 15 and 20 feet. The dam, being built and maintained at the expense of the State, facilitates the economical application of the water to machinery. To these unrivalled artificial hydraulic advantages, nature has superadded evident indications of extensive and valuable beds of coal and iron ore in the immediate vicinity of the town. There is also at the town a valuable quarry of stone suitable for building. Limestone is also scattered over the surrounding country in great profusion; the country down the river for several miles is supplied with limestone from this part. There are also fine springs of water gushing from the bluffs back of the town plat. These advantages, added to the water power, can not fail to make Pittsburg a manufacturing place of great importance. Coal is not only in itself an article of commerce, and a powerful agent of manufacturing prosperity, but also an important auxiliary toward developing the advantage resulting from the iron ore in its vicinity. There is also a vast abundance of timber in the neighborhood of this place, and along the banks of the Wabash for miles above, which can easily be floated down the river to supply the saw mills which will be located at the dam, furnishing the town, the country below, and the extensive prairies west of this with abundance of lumber. The Grand Prairie commences about a mile west of this point, and will no doubt procure its supply of lumber here; and here also their grain will find a market at the mills, and their produce a depot, to be transported by the river, or carried to the Eastern or Southern and Western markets. In addition to all this, the commercial advantages of the place assert an equality with its manufacturing facilities; it stands at the head of steamboat navigation on the Wabash river. Whenever steamboats can ascend the rapids at Vincennes they can without any inconvenience come to Pittsburg. Well's

³ The town of Pittsburg did thrive somewhat, and was the center of considerable business for a place of its size until the canal and river trade became unimportant. See the article following. The dam built at the place was destroyed about thirty years ago. No coal or iron was ever found in that part of the State. By 1850 the population of the town had reached 336. It remained about the same till 1890, since which time it has declined.

Ripples, at this point, has always been a barrier to steamboat navigation any higher up, except when the river is swollen to an unusual height, and then they can ascend many miles above. But the dam located at Pittsburg makes it the head of steamboat navigation on the Wabash. Notwithstanding the canal, the spring supply of goods for this part of the country and the country above will be furnished by the river. Merchandise and produce destined for the country above will here be transported from steamboats to canal and flat boats or vehicles. The superiority of a location at the head of navigation on a navigable river is apparent to the most ordinary observer; a view of the map of our country will show that towns situated at the heads and mouths of navigable rivers have 'gone ahead' and have risen with astonishing celerity to be commercial emporiums, with commerce extended to all parts of the world. Lafayette, from circumstances which have now ceased to operate, has hitherto enjoyed the advantages of steamboat navigation, and has derived a large share of her importance and prosperity from that cause. These advantages will soon be transferred to their natural locality—to Pittsburg, the actual head of steamboat navigation. There is no town or town-site between this place and Lafayette or Logansport which can possibly bring it into competition with this town. There is a ford at this place at which the river can be crossed when it can not be forded at any place below nor for many miles above. [Terms of sale follow, stating amount of credit to be extended to purchasers of lots.]

"GEORGE MERKLE,

"JACOB MERKLE,

"FRANCIS G. KENDALL."

"Aug. 30, 1836.

FLATBOATING ON THE WABASH—A DIARY OF 1847

ONE of the first and most difficult problems confronting the early settlers of Indiana was that of transportation. The chief markets they wished to reach were New York, Philadelphia and Baltimore. Two general plans were proposed. One was to build highways directly over the mountains to the East. In accordance with this plan the National Road and the Wabash and Erie Canal were constructed. The other plan was to open up the streams to navigation and transport the produce of the country down to New Orleans, and thence to the East by the sea. The position of the State lent itself to this plan nicely. The southern boundary was a navigable river with tributaries reaching far into the interior, while on the west was the Wabash, a broad stream crossing the State diagonally and throwing off branches to all parts of the State.

The General Assembly at the Fourth session, held at Corydon in 1820, declared navigable nearly all the streams of the State which were capable of floating a flatboat. The supervisors of the public roads were instructed to call out the road "hands" and clear these streams of obstructions. Little work of this kind was done, but many attempts were made to run steamboats on the upper Wabash and the branches of White river. The smaller streams, however, were extensively used by flatboatmen. Flatboats were built in the larger pools of the streams and when the water rose sufficiently, usually in March, were floated out into the Wabash and Ohio, thence to New Orleans.

It was no little task to propel the flatboats up stream. This was resorted to only when the roads were impassable. In most cases it was impossible to get along shore with a tow line, so that nearly all upstream navigation was accomplished by "poling." For "poling" they used a flat-bottomed boat, thirty to forty feet long, with outer guards along which six or eight men walked and pushed with spike poles set against the bottom. It was possible to drive a boat carrying three or four tons burden eight or ten miles per day. This kind of transportation was used mostly on the upper Wabash—above Lafayette.

It is impossible with the data at hand to give any adequate idea of the amount of goods or the number of flatboats taken from In-

diana to New Orleans each spring. The Gards, of Lawrenceburg, loaded as many as sixteen boats at one time at their farm in the Miami bottoms. Scores of boats loaded with hay and manufactured articles were run from Vevay each year. All the towns on the Ohio riverboard contributed their fleets. From the interior each little stream—Flat Rock, Muscatituck, Big Blue, Whitewater, Anderson, Oil, Raccoon, Big, Loughry, Patoka, Big Pigeon, Big Sand, Eel, Wildcat, Beanblossom, Sugar, Salt, and a hundred others,—sent forth its crafts in season, all bound for New Orleans.

The canal commissioners of 1829 estimated the annual trade of Terre Haute at 7,000 barrels of salt, 3,000 barrels of whiskey. From Terre Haute alone went 3,000 barrels of pork. They placed the amount of pork of the whole Wabash valley at 10,000 barrels. This was the merest guess, based on the reports of passing boats at Terre Haute. From April 14 to April 27, 1834, forty-one steamboats landed at the Terre Haute wharf.

Almost every neighborhood in Indiana had its "port" where flatboats were loaded for the "down-river" trade. Stories and traditions of this business linger in all parts of the State, but authentic data is scarce. The following memorandum of a trip from Pittsburgh (see preceding article) was copied by Alva O. Reser, of Lafayette, Indiana, from the original manuscript, which is now in his possession:

DIARY OF THEODORE ARMITAGE, SHOWING TRIP ON FLAT BOAT FROM PITTSBURG, CARROLL COUNTY, INDIANA, TO NEW ORLEANS, ON THE FLAT BOAT "WHIG."

Leave Pittsburg, Carroll County, Indiana, March 13th, 1847. Ran to Dugan's Landing; loaded 216 barrels of pork, March 14th; cut loose Sunday, and ran to Lafayette. Very cold and windy and snowing.

March 15th and 16th, Cold.

March 17th, Warm.

March 18th. Cut loose and run all islands and towheads to the right; landed at Attica, on the left at 4 o'clock.

March 19th. At 9 o'clock cut loose, and passed Williamsport $2\frac{1}{2}$ miles below on the right; landed 4 miles below on the left. Warm at 4 o'clock. Lay till the 22d and cut loose at 3 o'clock; landed at Covington at 11 o'clock at night.

March 23d, Tuesday. Loaded 100 bbls. flour, 104 sacks oats, 100 bu. corn.

March 24th, cut loose and run down to warehouse 3 miles on the right.

March 25th. Cut loose, passed Perryville on the right; landed at the mouth of Vermillion Creek.

March 26th. Cut loose early in the morning, passed Coal Creek Bend and Sugar Creek; landed at Montezuma at noon. Windy. Cut loose after 4 o'clock; landed 3 miles above Clinton, late.

March 27th. Very early in the morning and landed at Clinton at sunrise.

March 28th. Warm.

March 29th. Cloudy.

March 30th. Loaded 260 barrels pork, 389 kegs lard, 20 bbls. lard; cut loose at 10 o'clock, passed Otter Creek Bend, a short right hand point, and landed at Terre Haute at 5 o'clock in the evening.

March 31. Cut loose in the evening. Run all night and passed Darwin, Illinois. Daylight at Wild-Goose Pond on the left. Passed York at 8 o'clock.

April 1. Passed Hackberry Bend some 4 or 5 miles below; cut off on the right. A very strong current into it; some rain in the afternoon; cold; landed 4 miles above Merom on the right.

April 2d. Cut loose at 4 o'clock in the morning; passed Coupee Points, 14 in number, at noon; landed at Vincennes at 8 o'clock at night.

April 3d. Cut loose at 1 o'clock in the morning. Passed Ambro¹ Island at daylight, 9 miles below, close under the right hand point. Passed Little Rock at noon, also Racey-Dam and Grand-Rapids. C. B. Nayler stuck fast over one-third of the bend opposite the head of the island; run down to the right hand point; landed above the bar at 2 o'clock. Lay 2 hours; cut loose, and run quartering across, two-thirds back again and landed at Steamboat landing at 5 o'clock. Squally about these times.

April 4th. Sunday. Cut loose at 9 o'clock. Raining. Run down to the left of Coffec Island. Landed under the point at 2 o'clock. Rather slow boating about these times.

April 5th. River raising and strong wind and heavy showers of rain. Nayler floated off at 2 o'clock in the morning and landed below me on the morning of the 6th at 8 o'clock. I am very cross this morning for some reasons best known to myself.

April 7th. Cut loose at 4 o'clock in the morning; passed Big Drift Bend, and cut off in the middle and kept close to the right shore; passed Bomp Island to the left of it at Graysville and four miles to the right past it Bald Eagle Point some 7 or 8 miles below on the left, very windy. Landed on the left hand point above Harmony at 5 o'clock.

April 8th. Thursday. Cut loose at 3 o'clock. Daylight at Fox River Island. Raining like the devil. Landed under the island, cut loose again, run in bend and broke steering oar. Lay some 4 hours, cut loose again; passed Grand Chain and landed in the bend below Blacks. Cut off at dark.

April 9th. Cut loose at 2 o'clock in the morning and made the Ohio at 10 o'clock. Very warm. Dark at Cave-in-rock. Run all night to daylight. Cloudy. Passed Paduca at 10 o'clock. Run all day. Dark at Wilkinsonville below Masack. Made the Mississippi at 1 o'clock in the morning of the 11th, Sunday. Daylight at No. 4. Run all day. Dark at Middle Point below New Madrid. Run all night.

April 12th. Daylight at No. 21. Pilgrim Island. Run all day. Dark at No. 35, Benton Island, below Randolph. Run all night.

April 13th. Daylight at Beef Island, No. 40 above Memphis; landed at

¹ This is a contraction of "Embarrass," and shows very nicely how many of the French names have changed.

the above town at sunrise. Lay 2 hours; cut loose, and run all day; landed below the first left hand point, below Commerce.

April 14th. Cut loose early; passed Yazoo, cut off horse-shoe Bend; landed between 62 and 63. Hard times of it, missed landing, made it again.

April 15th. Thursday. Cut loose early. Rain and wind. Run down opposite 64—9 miles. Landed under the left hand point. Cleared up. Cut loose at 4 o'clock; dark at 66, run all night.

April 16th. Friday. Daylight at 74, above Arkansas River. Cold. Run all day; dark at the Spanish Moss Bend. Run all night.

April 17th. Daylight above Princeton, upper line of Louisiana. Run all day. Windy. Run on the head of 95. Drift wood, broke two skiffs; landed at the left hand point below 98.

April 18th. Sunday. Cut loose at daylight. Some wind; run all day; passed Vicksburg. Dark at Palmira Island, 106.

April 19th. Daylight, Bayou Pierre; run till 4 o'clock. High winds.

April 20th. Tuesday, cut loose; passed Natchez about 9 o'clock. Run down to Ellis Cliffs on the left. Run against a snag; knocked in the side; run a mile below and landed. Lay till morning.

April 21st. Cut loose late; levee broke on the right; 4 boats run out. Run all day; dark at the head of Yunica Bend.

April 22d. Daylight below Bayou Sarah Post; (Baton Rouge) at noon. Very warm. Dark at St. Gabriel Church 10 miles below Placimine.

April 23. Got lost and run all day and night.

April 24th. Got to New Orleans about middle of the day, 1093 miles.

THE CAMPAIGN OF 1876 IN INDIANA

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THE purpose of this paper is to give a better understanding of the political situation in Indiana in 1876, and of the spirit that produced it, than can be obtained from the books that treat the period in a more general way, and from a National rather than from a local standpoint. The sources from which this study was made are the leading Indiana newspapers of that year, though reference has been made only to the Indianapolis papers, campaign speeches and party platforms.

Since the heavy Democratic gains in the State election of 1872 it had become evident that Indiana was to be a battleground in the campaign of 1876.¹ An editorial in the *Indianapolis Journal* of February 22, 1876, declared that Indiana could be carried by the Republicans only on condition that they nominate the strongest possible ticket and stand true to their traditions. It also predicted that Indiana would be the battleground for the coming National campaign. The Democrats were buoyant over their success in 1872 and were anticipating the campaign with confident expectations of victory. Both the *Indianapolis Journal* and the *Indianapolis Sentinel* expressed the opinion that the result of the Indiana State election in October, 1876, would be an important factor in determining the results of the National election the following November.

The Republican organization in the State was not by any means perfect. The oppressive Reconstruction policy of the party was beginning to show its effects in a wide-spread discontent, and the general prevalence of corruption in office for which the party was perhaps not as much responsible as the demoralization wrought by the years of warfare, was influential in increasing the discontent. So the Republican party was facing a real problem at the beginning of the campaign.

Its chief organ was the *Indianapolis Journal*. In an editorial on New Year's day it declared its policy to be to represent the interests of society in the city and State and to support the Republican party. It also declared its intention of giving friend and foe a fair hearing. However fair it was in giving "hearings" to foes, it was

¹ They had elected the Governor and increased their numbers in the Legislature.

sometimes far from fair in making reports of them. I think it is safe to assume that the voice of the *Journal* was the voice of the Republican organization in Indiana at this time, inasmuch as the editor was chairman of the State convention of that year and succeeded in voicing all his policies into the State platform which the convention adopted.

At the beginning of the campaign the money question was predominant Nationally within the Republican party. The party was divided on this subject and the division was chiefly sectional. Generally speaking, the eastern Republicans desired a speedy return to resumption of specie payments and the western Republicans desired slower movements in the same direction. Of course Indiana was with the latter faction. The act providing for the resumption of specie payment on January 1, 1879, had already been passed by Congress much to the satisfaction of the easterners and equally to the disgust of those in the West. In an editorial of January 1, 1876, the *Journal* denounced the Resumption Act because it was impossible to be carried out and because it was injurious to business. It insisted that the healing and strengthening of time was absolutely necessary to resumption and that no one could predict very far ahead when the country would be ready to resume specie payment without serious injury to business. It therefore demanded the immediate repeal of the Resumption Act. The sweeping nature of this demand was tempered from time to time as the campaign progressed, but it never became less exacting than to demand the repeal of that part of the act which provided a definite time for resumption.² As to the greenbacks and bank notes, it insisted that they had both been created by the Republicans to meet special needs and that they had served and were still serving their purpose. Any immediate disturbance of either one was denounced, but just exactly what was to be the ultimate disposition of them was evidently not perfectly clear in the minds of the party leaders. At least it was not clearly expressed. Perhaps their unspoken policy was to let time determine what it might be necessary to do.

As to money basis the party spoke out, through an editorial in the *Indianapolis Journal* February 1, 1876, in an unmistakable way. The ultimate redemption, on demand, in gold or silver of all government currency, and bank notes secured by deposits in the United States Treasury, or United States bonds, was their unchanging policy on the money question.

² Republican State Platform of 1876.

As to education the party was inclined to be reactionary. It would not abolish free schools, but it would put a limit and a check on the tendency to make public education more inclusive. The *Indianapolis Journal* of March 28, 1876, in an editorial has the following to say on the subject: "It is hardly to be supposed that the founders of the system ever imagined that the time would come when the dead languages and higher sciences would be taught in these schools and that academies and seminaries would be virtually superseded by them. This has come to pass, however, and in this city students can prepare for college without going outside the graded schools. This is thought by some to be the crowning glory of the system, that it is laying its hands upon every branch of learning and introducing to students the mysteries of all knowledge. There can be no question that this is beyond the original plan and purpose of the system. It was established to furnish the people with a simple, practical education in English. It was no part of the original design that foreign languages, living or dead, or the higher mathematics should have any place in the curriculum of the common schools, and still less, if possible, was it intended to embrace the fine arts. . . . It has grown from a common school into a faint image of a common university. . . . It is not hard to see in all this a great danger to the system." This quotation pretty well expressed the popular feeling concerning higher education at public expense. It was not voiced in politics especially, but was common to both Democrats and Republicans. There seemed to be a general feeling that higher education was needed only by a very small per cent. of people, and that in a great many cases it tended to disqualify rather than to fit one for the duties of life.

The methods employed by the party in advancing its interests were reprehensible. There was little trace of either scruple or moderation by the papers. They resorted regularly to the most scathing and abusive language. "Hypocrite," "swindler," "perjurer," "liar," "thief," "villain," and such words were used in profusion against opponents, and no man daring to enter politics was considered too good to receive a bountiful apportionment. Things were printed as statistics that were concoctions pure and simple. The opponent was not only said to be wholly in the wrong, but was knowingly so, and always for the express purpose of injuring the State or society. Reason was pushed aside and passion was appealed to. Of

course there was nothing gained by this, but on the other hand, there was little lost by it, for all parties were much the same in this respect.

The Independent Greenback party at this time was rapidly gaining in numbers and its recruits were chiefly from the Republican ranks. The Indianapolis *Journal* repeatedly complained of this condition and the Indianapolis *Sentinel* exulted in it and gave it as the chief basis for their expected increased majority at the coming election, an expectation that proved to be well founded. So it may be taken as a safe assertion that in 1876 the Greenback gains usually meant Republican losses. This was due to the wide-spread general discontent with the Grant administration and with the Republican financial policy.

The Republican State convention met at Indianapolis on February 22. It was perhaps the largest that had ever convened in the State up to that time. Hon. E. B. Martindale, editor of the Indianapolis *Journal*, was made permanent chairman. In his address to the convention he reviewed the record of his party since it had come into power and declared it to be unparalleled in history.³ He declared that a strong ticket could be selected, and he admonished the convention to harmonious action. He denounced inflation and advocated the eventual return to resumption of specie payment, but demanded the repeal of the Resumption Act on the grounds that it was impractical. He declared that the Democrats were Confederate at heart and were seeking to undo the work of the war.

At the close of his address he called for the report of the Committee on Resolutions, which submitted a report as follows (condensed): (1) For Republican principles and traditions, for election reform, and for the vindication of popular representation; (2) against State impediment to National laws; (3) against the right of secession; (4) for independence of both State and Nation when acting in its own proper circles; (5) to forgive the Confederates who desired to be forgiven, but not to put them on an equality with those who had remained loyal, declaring flatly that the North had been right in the War and that the South had been wrong; (6) against the removal of Union soldiers to make room for ex-Confederates; (7) qualification for civil office on basis of their preparation for the place, their moral integrity and loyalty to the Nation; (8) equal rights for all and special privileges for none; (9) separation of church and State; (10) revenue so to be adjusted as to secure en-

³ Indianapolis *Journal*, February 3, 1876.

couragement of home industry and harmony between labor and capital; (11) the lightest revenue should be levied on necessities and the heaviest revenues on luxuries; (12) for the ultimate resumption of specie payment, but the repeal of that part of the Resumption Act fixing a definite date for the beginning of resumption; (13) for the preservation of greenbacks to meet present currency needs; (14) it declared that our credit had been bad and revenue insufficient in 1861, and that in 1876 our credit was good and the revenue adequate; (15) against payment of any part of the Confederate debt or remuneration of Confederates for any property loss caused by the war; (16) for public economy; (17) common education to be fostered by the State, but not higher education; (18) for letting the will of the majority be law; (19) for providing for the soldier, his widow, and his orphan; (20) President Grant was commended; (21) Oliver P. Morton was endorsed for President of the United States.

The report was unanimously accepted and strong enthusiasm was manifested. The working of the convention from the first gave evidence of a well-oiled machine. The Indianapolis *Sentinel* of February 23 had the following comment upon the convention, which certainly is partly justified by the results: "The masses were not represented. It was a cut and dried convention in which the servants came up to register the edicts of the masters."

Godlove S. Orth was nominated for Governor on the first ballot, receiving 1,125 votes when only 945 were necessary to a choice.⁴ Mr. Orth was born and educated in Pennsylvania. He settled in Tippecanoe county in 1839. He served two terms in the State Senate, beginning in 1843, and was a captain in the Union army. He was a member of the Thirty-eighth, Thirty-ninth, Fortieth, Forty-first and Forty-third Congresses. At the time of his nomination he was at Vienna as United States minister. The other men balloted for against Mr. Orth were Judge James C. Denny, David C. Branham, of Jefferson county, Lieutenant-Governor Leonidas Sexton, and Albert G. Porter, of Marion county.

Robert S. Robertson, of Allen county, was nominated for Lieutenant-Governor without opposition. He was born and educated in New York, served in the Union army and moved to Indiana at the close of the War. He had been a zealous Republican from the beginning of that party and a persistent office seeker, though with poor success. In person he was tall and fine looking. In the nomi-

⁴ Indianapolis *Journal*, February 23, 1876.

nations for judges of the Supreme Court the same smooth precision prevailed as in the gubernatorial nominations. For the First district William P. Edson, of Posey county, born and educated in Indiana, and having served two terms as common pleas judge, was nominated. For the Second district A. C. Voris, of Lawrence county, a graduate of Hanover College and of the law department of Harvard, and a veteran of the Civil War, was nominated. For the Third district Judge Newcomb, of Indianapolis, was nominated. He was a leading lawyer of the city, having served repeatedly in both houses of the Legislature. For the Fourth district J. F. Kibbey, of Wayne county, was nominated. He was a native of Indiana, having been born and raised in Wayne county. He had served as attorney-general under Governor Morton and as judge of the Sixth judicial common pleas district from 1865 to 1873.

The remaining nominees were faithful party servants and selected without opposition, their biographies all having been written and ready for the same issue of the *Indianapolis Journal* with the announcement of their nominations (February 23, 1876): For Secretary of State, Isaac P. Watts, of Randolph county; for Auditor of State, William M. Hess, of Hendricks county; for Treasurer of State, George F. Herriott, of Johnson county; for Attorney-General, Jonathan W. Gordon, of Marion county; for Reporter of the Supreme Court, L. T. Miller, of Warren county; for Clerk of the Supreme Court, Charles Scholl, of Clark county; for Superintendent of Public Instruction, Oliver H. Smith, of Spencer county.

Following the convention things remained fairly quiet in political circles until May 10, when the campaign was formally opened with a rousing speech by the Hon. Jonathan W. Gordon in the Academy of Music at Indianapolis. Mr. Gordon attacked the Democratic party on their traditional anti-nationalism. He declared that it had always been against nationalism and had been the advocate of a loose federation of States. He pointed out the weakness and danger of such traditions and warned against them. He then laid open the war record of the Democratic party and displayed the "bloody shirt" in a manner characteristic of his temperament. He closed with an appeal for Republican support; even in spite of a few party mistakes or sins of individual Republicans he urged loyalty to the party as the only safe road.

The Democratic party in the State was in better condition, generally speaking, than was the Republican party. But as is usually the case with the party in power, the Republican machine was in

better working order than the Democratic machine, although the Democrats were more harmonious. The defeat of the latter in 1860 and their exile from power had taught them the value of unity in action. Then, too, they were on the aggressive side and had the recent Republican blunders with which to charge their opponents, while the Republicans had to go back nearly a generation to find mistakes with which to charge their opponents. Then the war record boast of the Republicans was rapidly losing its power. People were beginning to desire a change. The conditions in this respect resembled those of 1828. It did not take a prophetic eye to see that the Democrats were fighting a winning battle. Their leading organ was the Indianapolis *Sentinel*. In methods it was much the same as the Indianapolis *Journal*, which has already been described. It may fairly be assumed that it voiced the Western Democratic principles as well as any newspaper could have done.

On the money question the western Democrats in general stood for cheap money. Broadly speaking, they were the debtor class and desired cheap money with which to pay their debts. They were, therefore, squarely and uncompromisingly against the Resumption Act and for its immediate and unconditional repeal. They regarded it as a sure means of contraction of currency and they were anti-contractionists almost to the point of becoming straight-out inflationists. The Indianapolis *Sentinel*, January 3, remarked with disgust: "Contraction of the currency goes on to the oppression of the debtor and to the pleasure of the bondholder and money lender." Judging from the frequency with which the matter of resumption of specie payments is treated and from the tone of the comments there was no subject of more interest to the Democrats than the repeal of the Resumption Act. A *Sentinel* editorial, June 13, declared that the recent Republican losses were chiefly due to the unpopularity of the Resumption Act and to Orth's known friendliness toward the act. Another *Sentinel* editorial, February 19, is as follows: "There remains upon the statute books of the country a law that is doing positive injury to the business energy and enterprise of the country and crippling and paralyzing all kinds of business, . . . and its noxious influence now promises to bankrupt the country if not repealed. . . . It is needless to say that we refer to the Resumption Bill of Sherman adopted in January, 1875." This is but an example of the many attacks made upon the law. Governor Hendricks was the only prominent western Democrat to voice a policy of resumption under any guise and that was in a very weak and

indefinite manner. At different times he talked in very different ways on the subject. The Indianapolis *Journal* declared that he was considered a "hard money" man in the East and a "soft money" man in the West and that he was trying to cater to the support of both the eastern and western Democrats.

In regard to greenbacks and bank notes the Democrats were still more pronounced. The greenback answered their demand for cheap money in a very satisfactory manner, but they distrusted the National bank note. They seemed to understand that the two were in competition and that the life of the bank note would mean the sure death of the greenback. The Indianapolis *Sentinel*, February 23, in criticising the Republican State platform, said: "It leaves the bank note free to destroy the greenbacks, entailing twenty million dollars of interest that need not be paid." It seemed to be the opinion that since the bank notes were backed by Government bonds they would be a sounder currency and therefore drive out the greenbacks, a thing that is directly counter to the economic principle that the cheaper of two currencies will drive out the dearer. Then it seemed to be the opinion that since the Government was paying interest on the bonds securing the bank notes that the Government was reaping no returns from the use of the money and hence a sheer waste of the interest paid. The fallacy of this reasoning is certainly apparent.

The Hon. Frank Landers, one of the Democratic aspirants for Governor, in January, 1876, said in a speech at Greencastle that the land of the farmer was pledged to the payment of the bank notes and that for this obligation they had not a cent of advantage to show. It is difficult to say with certainty whether with Mr. Landers was ignorant of the situation or whether he was working on the supposed ignorance of his hearers. It is clear enough why the western Democrats should have opposed resumption, but it is not so clear why they should have opposed the bank notes, unless it was that they were ignorant of the real nature of the notes and of economic laws. Their one thought seemed to be to get a currency that would entail the least possible expense to the Government. An editorial in the Indianapolis *Sentinel*, February 24, denounced the Republican law providing for the replacing of fractional currency with silver coin on the ground that it would cost money to buy the bullion to make the coin.

As to a money basis the Democratic plan seems vague. Since it was cheap money that they desired a very definite basis was not

necessary. Landers took the position that when the Government stamped a piece of paper declaring it to be legal tender that was all the basis it required, and that seems to have been the most generally accepted theory among western Democrats. In the East, of course, it was different, but in Indiana at this time ideas of money were generally defective. People as a rule had a high opinion of the National Government and were loyal to it and thought that its simple touch was sufficient to change paper into money that would circulate at par without any further backing. The methods resorted to, as it has been pointed out, were coarse and abusive and not well adapted to the winning of followers. It was a fault of the times.

The relation between the Democratic party and the Independent Greenback party was rather intimate. The Indianapolis *Journal* complained of this and bewailed the fact that the Greenbackers were chiefly from the Republican ranks. A *Sentinel* editorial, June 13, declared that the weakness of the Republicans was mainly due to desertions to the Greenbackers and to the unpopularity of the Resumption Act and to the friendliness of Mr. Orth to the act. Then, too, their friendship was shown in the fact that the Greenbackers nominated Frank Landers, a prominent Democrat, as their candidate for Governor. In the political speeches they criticised each other very little. Their platforms were much alike and in fact there was not enough important difference to justify their forming two separate parties.

The Democratic party in Indiana at this time was brim full of what may be termed the western pioneer democratic spirit. It was inclined to lionize the common every-day man that was not too highly educated and who bore the marks of toil.⁵ They were inclined to suspect men who wore kid gloves and spoke correct English. They were inclined to doubt whether he could have anything in common with their ideals and interests.

On April 19 the Democratic State Convention met at Indianapolis. There was less evidence of machine rule than was seen at the Republican Convention in February before. However, the Democratic meeting was more inclined toward disorder. Thomas R. Cobb, of Vincennes, was elected president of the convention and John W. Kern, of Kokomo, was elected secretary. The president announced that he would make no address and proceeded directly to the work

⁵ Indianapolis *Sentinel*, September 1, 1876: "Fifteen thousand people meet Uncle Jimmy (Williams) at Wheatland. Our farmer candidate meets the people familiarly in the groves of his own town."

of the convention. Amid tumult that was well-nigh distracting the names W. S. Holman, Franklin Landers, J. D. Williams and Daniel Voorhees were placed before the convention for gubernatorial nomination. The tumult became so overwhelming that the president called for the reading of the platform in hopes that it would restore order. It did restore a degree of order, but it did not last after the work of nomination was resumed. The Convention from beginning to end was characterized by excessive tumult.

There was a sharp controversy between Franklin Landers and the people backing Mr. Holman. Mr. Landers played the part of a demagogue, but without success. The wrangling between the Landers-Holman factions resulted in the carrying of a motion just before the announcement of the result of the second ballot to make the nomination of James D. Williams unanimous.

Mr. Williams was born in Ohio in 1808, but came to Knox county, Indiana, with his parents while yet a mere boy. He was reared on the farm and accustomed to the knocks of a frontier life. He was certainly an honest man, though what many people would term a close dealer, even approaching the miserly. He served, in all, twenty-nine years in the Legislature and twelve years on the State Board of Agriculture, and was one of the wealthiest land owners in Indiana. He would wear nothing but home-grown, home-spun, home-woven and home-made clothes. The Indianapolis *Sentinel*, April 20, 1876, attributed this conduct to his loyalty to home products, but his less sympathetic observers attributed it to his love of the dollar and to the deep anguish that came to him on seeing a dollar leave his clutches. He had been elected to Congress in 1874 by a majority of over 7,000 and during his stay there was an advocate of the same rigid economy that characterized his private dealings. In personal appearance he was extremely homely. The Indianapolis *Journal*, September 7, 1876, has the following pen picture of Mr. Williams. Of course it is not from a sympathetic source, but has some historical as well as literary value: "He is a difficult man to describe. Abraham Lincoln was an Admiral Crichton in comparison and Richard Smith would be like an Apollo Belvidere along side of him. The English language would never recover from the shock of a detailed and accurate description of his general appearance and it would take Uncle John Robinson in his most energetic and capable moments to properly emphasize his political points and peculiarities. He is as handsome as a black india-rubber baby drawn out to its greatest possible length and its face pinched out of shape. His

head, in shape, is of the sugar-loaf order and is covered with a short stubby growth of bristling iron grey hair. His only whiskers is a little bunch of the same description of hair grown upon his "Adam's Apple" and sticking out between the hard yellow starched ends of his cotton sideboards, that serve on either side of his head to support the heavy dewlap of his enormous ears. His eyes are small and closely set against the high narrow bridge of his long sharp inquisitive nose. His mouth looks as if it had been put on warm and ran all over the lower part of his face before it got set and it opens like the opening of navigation in spring. Looking him full in the face gives one the idea of a narrow, loaded hay barge with broadside sails set, coming down stream with the front cabin doors wide open. His long lean legs part with each other in disgust at the hips and pursue separate and diverging paths to the knees, when negotiations for reconciliation are entered into, which takes place finally at the ends of the toes of two great feet which join each other lovingly while the heels still remain estranged and keep as far away from each other as possible."

Col. Isaac P. Gray, of Randolph county, was nominated for Lieutenant-Governor. Mr. Gray was born in Pennsylvania. He moved to Indiana in 1855 and opened a law office in Union City. He served with distinction in the Civil war and was in the State Senate from 1868 to 1872. For Secretary of State John Enos Neff, of Randolph county, was nominated. He was the youngest man on the ticket by several years, being yet under thirty years of age. He had studied at Indiana University and immediately took up the practice of law. He was an exceptionally gifted young man. Ebenezer Henderson, the successful candidate for the nomination for Auditor of State, was a shrewd political manipulator and a man of great wealth. He was nominated to succeed himself. The remaining nominees were all rather commonplace politicians and not of special prominence. They were as follows:

For Treasurer of State, Benjamin C. Shaw, a carriage maker, of Indianapolis; for Attorney-General, Clarence A. Buskirk, of Princeton; for State Superintendent of Public Instruction, James H. Smart, of Fort Wayne; for Clerk of the Supreme Court, Gabriel Schmuck, of Perry county; for Reporter of the Supreme Court, A. N. Martin, of Wells county; for Judges of the Supreme Court—First district, S. H. Buskirk, of Bloomington; Second district, A. C. Downey, of Ohio county; Third district, John Pettit, of Tippecanoe county; Fourth district, James L. Worden, of Allen county.

The platform adopted by the Convention declared in favor of war against political corruption and advocated investigations as a good means of uprooting the trouble. It also laid heavy stress on the need of economy in public matters and decried the wasteful extravagance of the Republican administration then in power. It also advocated a gold and silver monetary basis as the ultimate goal in view and declared for the gradual retirement of bank notes and the substitution of Government paper in their stead. No more bank notes were to be issued and those in circulation finally extinguished. It demanded the speedy and unconditional repeal of the Resumption Act, the increase in prosperity and wealth to determine the time of resumption. They seemed to hesitate in demanding a "soft money" basis or non-resumption, though they feign would have had it so, but would rather accomplish the same results by keeping it eternally as a future rather than a present policy. It declared for State support of the common schools and for a licensing of the liquor traffic; for providing for the soldier and his dependents; it declared against juries for Federal courts in civil cases; for prohibiting United States officials from contributing to campaign funds; against the payment of the Confederate debt; and for local improvements at National expense. It ended by endorsing Thomas A. Hendricks as a candidate for the Presidential nomination and instructing the delegates to the Democratic National Convention accordingly.

The Independent Greenback party held its convention in the Academy of Music at Indianapolis on February 16, 1876. Only about half the counties were represented and there was a conspicuous lack of leading men. The Hon. Anson Wolcott, of White county, was elected permanent chairman. He made a short address before the convention, in which he declared for greenbacks as a desirable circulating medium because they would not leave the country.

Hugh Marlin, of Monroe county, introduced a resolution against nominating any one for any office on the ticket who would not entirely cut loose from both of the old parties. He was called out of order by A. Johnson, of Montgomery county, and his motion failed. He yielded, however, with a determination to be heard again later on, and on the same subject.

In their platform they declared for the unconditional repeal of the Resumption Act, for the undiminished maintenance of the school fund, for the refunding of the National debt at 3.65%, for the

reservation of the public domain for homeseekers, except 160 acres apiece to the soldiers, and for a strict policy of public economy.

The convention then proceeded to the nomination of the following candidates: For Governor, Franklin Landers; for Lieutenant-Governor, Anson Wolcott, of White county; for Secretary of State, Leroy Templeton, of Benton county; for Auditor of State, Morris N. Bundy, of Henry county; for Attorney-General, W. A. Tipton, of Fountain county; for Superintendent of Public Instruction, Rev. R. S. Blount, of Greene county; for Clerk of the Supreme Court, W. W. Conner, of Hamilton county; for Supreme Court Judges—First district, William F. Parrott, of Vanderburg county; Second district, H. C. Newcomb, of Marion county; Third district, John D. Haines, of Dearborn county; Fourth district, R. Lindsay, of Howard county.

On the mention of the name of Col. B. C. Shaw for Treasurer of State Mr. Marlin, of Monroe county, rose again to his feet. He came out in thundering tones against the nomination of any man who was not free from the old parties, men who were willing to return to slavery for the flesh-pots and manna, or to fall down and worship the golden calf. Just how much influence Mr. Marlin had cannot be determined, but Mr. Shaw was not the nominee.

When Alex. M. Gow, of Vanderburg county, was nominated for Superintendent of Public Instruction as a representative of educational thought and progress, one Mr. Geisendorf objected strenuously to him upon the ground that what the children needed was to be taught the greenback theory of money and not educational thought or progress.

On February 24, 1876, a convention was called in Indianapolis with a view of forming a "Workingmen's Party." It was largely attended, but the representation was not general. After the election of officers they proceeded first to a declaration of the conditions that made the organization of a workingmen's party necessary. They declared⁶ that there was legislation favoring the classes and oppressing the workingman and that the workingman was not really represented in Congress, or the State Legislature at all and that relief by either the Democrats or Republicans was hopeless. They demanded representation from their own ranks and advocated personal aggressiveness in obtaining it.

They then proceeded with a declaration of principles, declaring that it was the duty of every man to be active in politics and that

⁶ *Indianapolis Journal*, February 25, 1876.

the Government should work to secure the greatest good for the greatest number of its citizens. It was their expressed opinion that the working classes were the corner stones upon which the superstructure of society and government rested, that they should receive attention commensurate with their importance, and that these things could not be until all classes of industrial workers were represented in all legislative bodies by men of their own ranks. It was also their opinion that capital gained for the capitalist certain vantage-points against which the workingman was helpless to compete and against which he had no protection. They, therefore, advocated that the laborer should be legally secured against the invasions of capital, or in other words, they demanded discrimination in favor of workingmen. This, at that time, was generally regarded as fanatical, and was counter to our old notion of equal rights for all and special privileges for none. Yet it is a principle now endorsed by both the Democrat and Republican progressives and also endorsed in Mr. Croly's book, *The Promise of American Life*. They also declared that all property, including Government securities, and all incomes above \$1,200 should be taxed, the rate to increase with the increase of the income. They declared wages should be secured by first lien on what it produces, that the entire property of bankers should secure all deposits. They declared for the withdrawal of bank notes and the substitution of greenbacks and the ultimate resumption of specie payment. The State and National debt should be refunded at a maximum interest of 3% and officials should be paid on a basis of services rendered and not a flat salary. The Vagabond Law was vigorously assailed and denounced and the subsidizing of railroads by land grants was bitterly denounced, together with the Credit Mobilier. They ended up by denouncing the practice of the Spoils System and declaring in favor of woman suffrage. The convention adjourned before completing the organization of the new party and the enthusiasm waned until the work was never finished. The *Indianapolis Journal*, March 13, 1876, declared that the agitation among the workingmen was incited and led by pretenders who were not of the ranks of the workingmen at all, but were agitating them for personal reasons. There was likely some truth in the statement.

There was no other meeting until April 12, when one was called at the Statehouse. It was addressed by Enos B. Reed and William Dreythaler. The spirit and enthusiasm had perceptibly cooled since

the meeting of February 24 and it was clear that nothing decisive would be undertaken.

The Socialists were not a very great deal in evidence nor yet were they wholly missing.⁷ May 2, 1876, Peter J. McGuire, of New Haven, Conn., addressed a Socialist meeting in Indianapolis. He spoke against the wrongs of the workingman, of which low wages was the chief, and especially about the concentration of wealth in the hands of Thomas Scott and William Orton. Every wrong which the workingmen were suffering was due, in his estimation, to deliberate planning toward criminal ends by the officers of the State. Of course he did not neglect their cardinal doctrine of common ownership.

As has been said, the campaign proper was opened May 10 with the Republicans on the defensive side. It was plain from the first that the issues of the campaign were all going to be included in the one word "reform." The Indianapolis *Sentinel*, September 4, contained the following in bold headlines: "*Reform, the Issue of the Day.* Grant, Morton, Hayes, corruption, crime, outrage and the bloody shirt; Tilden, Hendricks, reform, honesty, patriotism, and pure government." Then followed a speech of the Hon. Joseph Pulitzer, delivered at Mozart Hall, Indianapolis, on the previous evening. It was from beginning to end a condemnation of the corruption of the Grant administration and a justification of the Democratic demands. It was typical both in spirit and subject-matter of the average Democratic speech throughout the campaign. On October 12, following the announcement of the results of the State election, the Indianapolis *Sentinel* came out with the following: "Reform and reconciliation the keynote of Indiana's greeting to the sisterhood of States. A rebuke to Sitting Bull (Morton) and his satellites. The radical ring repudiated and reform guaranteed." The three lines of reform most agitated were reform against corruption in office, reform in attitude toward and treatment of the South, and reform in regard to money standards. Of the latter considerable has already been said in connection with the platform adopted by the Democratic State Convention. Very briefly stated, they stood for the immediate repeal of the Resumption Act, the retirement of bank notes, the fostering of greenbacks and in a very weak, half-hearted, and indefinite manner they stood for the ultimate resumption of specie payment. The strong note in the money issue was postponement of resumption. In their demands relative

⁷ Indianapolis *Sentinel*, May 2, 1876.

to the South they demanded the speedy withdrawal of all United States forces from Southern soil and the leaving of local government of the South in the hands of the South, and also advocated an active policy of reconciliation of the South by conceding them all rights not inimical to the fruits of victory of the Northern arms. Of the issue of reform against corruption in office they had more to say than of any other and it was the hardest for the Republicans to fight. The *Indianapolis Journal*, April 14, replied as follows to this cry of corruption in office: "Nothing is at once more illogical and false and wicked than the current wholesale denunciations of the Republican party as a mass of infamy and corruption, and the men who deliberately write these things are wilful falsifiers who hope by groundless accusations against the dominant party to overthrow it. The Republican party, as to its constituency, embraces almost the entire mass of the Protestant clergy in the northern part of the United States and every man knows that as men they are among our most intelligent and high-principled citizens. A very large proportion of the men who constitute the rank and file of what is known as the Protestant Christian element of society; an immense majority of the educators; by far the largest part of those who support and manage our public and private charities belong to the same party. Some dozen, more or less, Government officers have been detected by the Government itself in fraudulent dealing and have been imprisoned or otherwise punished and this is all, absolutely all. But upon this foundation an unscrupulous Democratic press proceeds to erect accusations as broad as the Republican party and as high as Heaven and demands that an outraged people shall rise in wrath and hurl this limitless mass of infamy to the ground. The Republican party has hunted down and punished its own offenders. It inaugurated that war against corruptionists. If it has the odium of corruption upon a few men in its ranks, it has the honor of universal denunciation of it and of having done its utmost to purge itself of the taint. As a whole, the Republican party is the only untainted party. The other smells of treason, rebellion and secession."

The tactics resorted to were much the same as those in vogue in the State today, with the addition of the torchlight processions and more extensive use of scandalous and slanderous abuse of the political opponents both in the newspapers and in the public address. People seemed to take politics vastly more seriously then than they do at present. I have the word of older men to the effect that fist and skull fights were often the result of political differences and

that neighbors would often refuse to recognize neighbors because of differences in political views. The general spirit was one of bitterness directed more by prejudice and passion than by intellect. The common inclination was to consider the opponent not only in the wrong, but wilfully so, because he desired to bring disaster upon his fellow men and upon his country. Of course there were many intelligent people, but they were usually the ones least heard from; so being governed by what was spoken and written, the spirit described above was the prevailing one.

Mr. Orth, the Republican candidate for Governor, returned from Vienna to conduct his own campaign. He was given a rousing reception on his return, May 26, and after spending a few days getting a line on the situation he opened his campaign with an address at Greencastle, July 8. It was typical of the addresses in general. He first reviewed the records of the Republicans, painting them a little lower than the angels, and then the record of the Democrats (chiefly their war record) and showed them up only a little higher than the demons. He then dealt with their loud howl for reform, stating that it was the Democrats and not the Republicans that had brought on the disorder and lawlessness and that it was the Republicans who had brought to light and punished the offenders. He took up the causes of the panic and again turned the blame on the Democrats; he defended the financial policy of the Republicans, advocating the earliest possible resumption of specie payment; depicted the mission of the Republican party and considered the exceptional fitness of the Republican candidates for carrying out that mission, ending up with the only logical conclusion (granting the premises) that every loyal American citizen should vote the Republican ticket.

The Republican National Convention met at Cincinnati the middle of June and here again results hinged on Indiana. After losing hope of placing Oliver P. Morton in nomination it was the swinging of the Indiana delegation to Governor Hayes, of Ohio, that placed him in nomination on the seventh ballot. The platform adopted by the Convention was very displeasing to the Democrats of Indiana. It was too indefinite on the points opposed most strongly by the Democrats. In the first place the Democrats insisted that the Republicans had stolen much of their (Democrats) thunder and that they (Republicans) were half-hearted in advocating their own doctrine. For example, the Republican platform and the platform adopted later by the Democratic convention at St. Louis were alike

in that both advocated pacification of the South; both denounced corruption in office; both were against higher education at State expense; both denounced further land grants to corporations; and both advocated restriction of Mongolian immigration to the United States. Besides these points that were practically identical in the two platforms the Republican plank on resumption of specie payment was very indefinite. So far as the wording was concerned it was impossible to tell whether they meant to stand by the Resumption Act or whether they meant to cater to the western Republican idea on the subject. There was really no very striking difference between the two platforms. The Indianapolis *Sentinel*, February 24, declared that the Republican State platform was a straddling affair designed to draw back the departing party members from the Independent Greenback party. This same thing was true of the National Republican platform with the added tendency to straddle on the currency question so as to please both the eastern and the western Republicans.

The nomination by the Democrats at St. Louis of Samuel J. Tilden for President was a victory for the eastern Democrats, who stood definitely in favor of resumption, and lessened, still further, the difference between the Republicans and Democrats on the currency question. The Indianapolis *Sentinel*, June 29, following the announcement of the results at the St. Louis Convention, said: "The die is cast; it is a hard-money victory all around. Tilden nominated on the second ballot. Square hard-money platform. Attempt to force the second place on Hendricks." It is putting the truth mildly to say that the Democrats of Indiana were disappointed by the nomination of Tilden and in a time when party ties were less strong and party success less desirable, it might easily have caused a split in the Democratic party. In a meeting of the Democrats of the Ninth district, held at Frankfort, July 11, there was manifest a strong spirit of discontent at the work of the St. Louis Convention. They repudiated the financial plank of the platform and declared for greenbacks. There was a strong attempt to nominate Leroy Templeton, an avowed independent Greenbacker, for Congress. This failed, however, and George McWilliams, a loyal Democrat of Fountain county, was nominated on the fourth ballot.

After a short and vigorous canvass Mr. Orth tendered his resignation as candidate for Governor, on August 2, and the same day there was a call for a meeting of the State Central Committee to meet in Indianapolis to consider the resignation. Mr. Orth gave as

his reasons for resigning that he was not receiving the united support of the Republican party. An editorial in the *Indianapolis Journal*, August 3, 1876, stated that the dissatisfaction was due to his alleged relations to the Venezuelan claims, a position in which it asserted that he was able to show himself innocent.

On August 4 General Benjamin Harrison was chosen to take the place of Mr. Orth and the campaign went on with comparatively little interruption. General Harrison opened his campaign with a speech at Danville August 18. He was a more polished gentleman than the average politician of this campaign and his speeches are more tempered and freer from scathing criticisms. In spite of all this his speeches sound rather strong in tone today. In his Danville speech he declared that the Democratic party had merited death by their relation to the Rebellion. He denounced Tilden as a secessionist and criticised his conduct in the Chicago meeting in demanding a cessation of hostilities. He accused Tilden of being in concerted action with Boss Tweed and of being responsible for the Credit Mobilier. He ended by an earnest appeal for concerted action. From this time on to the end of the campaign Mr. Harrison was very active, working to the limit of his strength.

The campaign was very aggressive on all sides. The *Indianapolis Journal*, August 8, contained a schedule of over five hundred speeches to be delivered by forty-six different speakers, all to be done within about ten days. As has been said, they relied chiefly on abusing opponents. The following headlines from the *Indianapolis Journal*, August 9, are illustrative of this: "Samuel J. Tilden, the career of a notorious sham reformer, colossal fraud of the age, a swindler of railroads, a friend and companion of Boss Tweed, the arch conspirator of New York politics."

Senator Morton delivered a typical "bloody shirt" address before a large audience at the Indianapolis Academy of Music July 11. The *Indianapolis Journal* commented upon it as follows: "It was a powerful arraignment of the Democratic party and a merciless exposition of the *shams* and *frauds*, the *follies* and the *crimes* that have marked its history." Such was the general nature of the public addresses and the printed attacks of the campaign. Between the *Journal* and the *Sentinel* it was tit for tat. They seemed about equally adept in the use of scathing English and in power of concocting slanderous stories, the one against the other.

After Harrison became the candidate for Governor there was a strong endeavor to revive the spirit of the campaign of 1840. There

was a monster Republican meeting at Battle Ground, September 26, and the program was planned to revive the scenes of the former Harrison campaign. The plan was practically a failure, for it was a plain fact that the grandson of the log-cabin candidate was not a representative of log-cabin life. The Harrisons, it was charged, had moved over to the aristocratic side and the log-cabin standards were now being borne by the Democrats. The triumph in the State election was a triumph of the same western Democratic ideals that triumphed in 1840. As the campaign drew to its close the Democrats became more confident of victory and it is probable that the Republicans became more fearful than they were willing to admit. Harrison closed his campaign with a speech at Lebanon October 9.

The leading issue of the Greenbackers was their policy of bonds interconvertible into greenbacks or vice versa, their policy of greenbacks interconvertible into interest-bearing bonds. That is to say if a man had more greenbacks than he could invest to a good advantage, he could, on his own demand, exchange them for their face value in interest-bearing bonds and all such bonds were likewise convertible on demand at par into greenbacks. It was perhaps the best cheap money scheme ever devised. It won the respect of many people, both of the Democratic and Republican parties, and among these was State Senator Newton Booth, of Terre Haute.

The Greenback meetings were generally well attended and marked by strong and genuine enthusiasm. Their showing in the election was certainly not representative of their real power. Many that sympathized with them certainly voted with one or the other of the old parties through fear of losing their votes if they cast them with the Greenbackers.

The State election came on October 10 and the Indianapolis *Journal*, October 12, contained the following: "Results leave the Republicans abundant room for rejoicing. Vote on Governor is close and victory claimed by both sides." The Indianapolis *Sentinel* of the same date said: "William walks over the political grave of the grandson. Blue Jeans vs. Kid Gloves. The State ticket elected. The fates decree it and the fated admit it." October 13 the Indianapolis *Journal* said: "Official returns from eighty-four counties. The Democratic ticket elected by about 4,000 majority. They won by fraud."

The final results showed the following composition for the Legislature:

| | |
|---|----|
| Republican Senators holding over..... | 8 |
| Republican Senators elected..... | 15 |
| <hr/> | |
| Total | 23 |
| Democratic Senators holding over..... | 14 |
| Democratic Senators elected..... | 11 |
| <hr/> | |
| Total | 25 |
| Republican Representatives | 53 |
| Democratic Representatives | 44 |
| Independent Senators | 2 |
| Independent Representatives | 2 |
| Total Republican vote on joint ballot..... | 76 |
| Total Democratic and Independent vote on joint ballot.. | 73 |
| <hr/> | |
| Joint Republican majority..... | 3 |

After the State election the campaign dragged on to November. The Republicans still talked of victory for Hayes, but it was certainly in a rather half-hearted manner. Harrison, following his defeat, went ahead in the National campaign and won Nation-wide recognition. His oratorical powers, together with his moderation and clear thinking, won him high National esteem and paved the way toward what happened in 1888.

The National election came on November 7 and the Indianapolis *Journal*, November 8, conceded the election of Tilden. The Indianapolis *Sentinel* of the same date contained the following: "At last after many years of gloom there is the dawn of a better day. Reform and reconciliation guaranteed to a long distracted country by the election of Tilden and Hendricks. The day of redemption. New York *Tribune*, *Sun*, *Herald* and *World* all concede the election. The man of destiny will now proceed to administer upon the estate of defunct radicalism. The solid South, New York, New Jersey, Indiana and Connecticut settle the case." An editorial of the same issue came out in tones of emotion as follows: "Never since the morning stars sang together and the sons of God shouted for joy has there been an occasion which called forth grander rejoicings. The triumph of yesterday was sublime. Forty millions of people by their silent potentiality of the ballot triumphed. Man's capacity for self-government was vindicated—Grantism is crushed—a mighty people are free—a united country is assured. No more

bayonet rule. No more thieves in office. No more bribe-taking in the White House. No more impeachments of cabinet officers. A new era dawns upon the country. The night of oppression is gone forever. Henceforth fraternity. The country from rock-ribbed New England to where the Oregon pours its mighty flood, from the lakes to the sunny South is one, united, one flag, and one destiny. Wars and rumors of wars shall cease and all sections of our mighty empire shall vie with each other in carrying forward the conquests of good government. . . . If the angels rejoice over one sinner that repenteth, all heaven will be jubilant over a mighty people redeemed from the grasp of oppressors and thieves” In answer to all this the *Indianapolis Journal* remarked the following day that the Democratic rooster had thrown up a “premature dish of Tilden and Hendricks hog-wash.”

Indiana had plainly declared for the Democrats, and it was evident that before the Republican party could hope to again win the electoral votes of that State it must change its policy toward the South, and show itself earnestly in favor of civil service reform and of clean men for civil officials.

REUBEN GOLD THWAITES

BY JAMES A. WOODBURN

SINCE the last issue of this MAGAZINE the field of Western history has lost one of its most efficient workers and most distinguished ornaments. All who are interested in the history of the Middle West will appreciate the loss that has come to historical scholarship in this part of the world by the death of Reuben Gold Thwaites, who died at his home in Madison, Wisconsin, on October 22, 1913. Dr. Thwaites was just past sixty. He was of sturdy English stock and was born in Dorchester, Massachusetts, on May 15, 1853. He was educated in the common schools, his only advanced education coming from a course of severe self-training while he was working on a farm. Here he had his only college work. At twenty-one he was admitted for a year of graduate study to Yale University (1874-'75). He went to Wisconsin, became a newspaper man, and for ten years he worked as a practical printer, reporter, and city editor. He had a fine scent for news and a knack for telling a good story, and he had the faculty for seeing more than the passing significance in what he found. He had the natural sense of the historical detective and investigator.

After serving his apprenticeship at hard work and in minor places, young Thwaites became editor of the Wisconsin *State Journal* at Madison, one of the leading and influential newspapers of Wisconsin, and while in this position he was appointed, in 1886, to succeed Dr. Lynam Draper as secretary and librarian of the Wisconsin Historical Society. He thus became the custodian and the editor of important Wisconsin historical collections, and here he found the place and the work for which his taste and his natural bent seem to have designed him, as it was in this field he entered upon his distinguished career.

He became a great historical collector, and by indefatigable industry in going after material into all parts of Wisconsin and into neighboring States, and by seeking the cooperation of the county newspapers and other agencies in the State, he added greatly to the Draper Collection and made the library collection of the Wisconsin

Historical Society one of the most famous in the country. He had been a member of the Council of the American Historical Association and at the time of his death he had the honor of being the President of the Mississippi Valley Historical Society.

He became a great librarian. He appreciated the value and the orderly keeping of books. He became president of the American Librarian Association, 1900, his merits being early recognized by Dr. Winsor, librarian of Harvard, and Dr. Poole, of the Newberry Library, of Chicago. He made manuscripts, documents, and rare materials available to the scholar and the investigator, and by his inspiration of the work of others he may be said to have been the founder of a school of scientific and devoted library workers.

He became a distinguished historical author. The books are numerous that came from his industrious pen. His *Colonies, 1492-1750* is still used in college and high school classes. He wrote *The Story of Wisconsin* for the American Commonwealth Series; *France in America* for the American Nation series; *Down Historic Waterways*, *Chronicles of Border Warfare*, *Documentary History of Dunmore's War*, *Hennepin's New Discovery*, *Life of Father Marquette* and the *Life of Daniel Boone*, and numerous monographs on the *History of New France in the Middle West*. Many of these were written in collaboration with Dr. Louise Kellogg, Dr. Thwaites' efficient and faithful assistant in the Wisconsin Historical Society. One wonders, in view of his other work, how he managed to do so much in authorship and to do it so well. He showed that he was a well trained historical author and he wrote with a racy and vivid style that gripped the attention of his readers.

But, above all, Dr. Thwaites was a great editor. Herein was his greatest work for the history of the West. He edited the *Original Journals of Lewis and Clark* in eight volumes; *Early Western Travels* in thirty-three volumes, and the monumental work of *The Jesuit Relations* in seventy-three volumes, and by these enduring memorials of his pains and toil he has made every student of Western history his everlasting debtor. All this work he did with painstaking care, showing the detailed accuracy of the proof-reader which came to him from his long training as a newspaper man, and the diligence and historic sense of the compiler of footnotes and master of cross references; and those who know what "footnotes" and "cross references" mean in value to the student and in labor to the producer will best appreciate Dr. Thwaites' eminent services to historical learning in America by the production of these large and val-

uable editions. It is only by such painstaking labors and collections that the written history of a country is made possible. Professor Morse Stephens has very pertinently said: "No such output has ever been made before by any American historical scholar, and yet the quality is equal to the quantity of his work."

Dr. Thwaites received but little training from the schools; but he had a keen mind and a talent for industry, and his work showed such qualities of the scholar that the University of Wisconsin very properly conferred upon him at its Semi-centennial Jubilee Celebration in 1913 the high honorary degree of Doctor of Laws (LL.D.). Though Dr. Thwaites never held a college or university professorship, it has been very properly said of him that he "did more to aid historical scholarship in America than any American professor of history." It is quite likely that had he been a university professor he would never have found time for much of his valuable and highly important labors. Happy is the State that can find and sustain such a man for such a work! Many other men have helped, but the work of Reuben Gold Thwaites has been an important factor in placing Wisconsin in the vanguard of American commonwealths.

Next to Parkman, Thwaites will take rank, along with Professor Turner, among the eminent historians of the West. Where Parkman was the pioneer, Thwaites was the follower, the settler, and the cultivator, and to him is due more than to any other of our contemporaries the revelation of the life and history of the Old Northwest. He added richly to our materials, bringing the searcher into the use of sources which Parkman never saw, and his many-sided work will assure to Dr. Thwaites a lasting fame among American historians.

The writer of this sketch cannot forego a personal word. He has had the privilege of knowing Dr. Thwaites both in his home and at his work in his sanctum; and at, perhaps, a score of the annual gatherings of the American Historical Association he has had the pleasure of listening to the genial conversation and engaging stories in which Thwaites was the center, the leader, the past-master. All recognized in him one of the finest of spirits and the most lovable of men. In attractive personality, in friendly, cheerful, genial comradeship, Thwaites was unexcelled. The historical tribesmen as they gathered round their council fires in their annual conclaves, always looked to him, and never in vain, for entertainment, good cheer, and good fellowship. He was the prince of good

fellows. So his death is counted not only as a loss to letters and to history, but as a personal sorrow and bereavement to a host of friends. He has achieved a worthy renown, and those who knew him in life will feel the greater assurance of the honor that will be his in future time as an historical workman worthy of his high calling.

REVIEWS AND NOTES

The Granger Movement. By SOLON JUSTUS BUCK, PH.D., Research Associate in History in the University of Illinois. [Harvard Historical Studies, Vol. XIX.] (Cambridge: Harvard University Press, 1913. Pp. xi, 384.)

THIS volume was submitted by the author and accepted by the faculty of Harvard University as a doctor's thesis. The author at the time was holding the Parkman Fellowship in history. An examination of the valuable bibliography and footnote references shows that the writer has had exceptional opportunities in the way of materials. The volume is built up entirely from the sources, though the work of previous investigators has not been overlooked. At this time, when industrial regulation by government is the question of the day, the publication of a history of this first attempt to curb the power of railroads is timely. With most people the very fact that any movement was tainted by some, no matter how remote, connection with the "Granger movement" was enough to condemn it forever. The seeming failure of the movement has hung like a cloud over the whole field of agriculture, and has especially discounted farmers as legislators. As a consequence very few farmers have participated in the work of any law-making body in America during the last quarter of a century.

The author conducted his investigations in four fields: Organization, Political Activity, Business Cooperation, Social and Educational Features. By far the most valuable parts of the book are the chapters dealing with the attempt to regulate railroads and their allies, the elevators and express companies. The methods of the corporations in opposing the movement are familiar to all of us at present. They first backed the dominant party in the election, controlling nominations and furnishing funds for campaigns. Beaten here they began a systematic campaign in courts and newspapers to misrepresent, misapply, or utterly ignore the restrictive laws. The struggle became more animated as the farmers kept up the attack. The railroads at last took refuge in their inner circle of intrenchments, the Supreme Court and the Constitution. By the time they were routed from this stronghold in 1876 the farmers had generally become tired of the struggle and the railroad lobbies had a strangle

hold on the State legislatures. It is an interesting story, full of the flavor of strife, and throws a flood of light on the conduct of such social and class struggles.

The other important feature of this movement was an attempt by the farmers to throw off the yoke of the middleman and break the power of the monopolies. The fact that they brought the price of reapers down from \$240 to \$140 is evidence that there was reason for the movement. Not only in buying, but in selling, the farmers sought to rid themselves of commission men. The farmers of California claimed to have saved \$5,000,000 in 1873-4 by selling their own wheat abroad. Various plans were tried out but lack of organization and efficient cooperation usually brought the ventures to the wall.

It is to be regretted, through no fault of the author perhaps, that nothing is said about the struggle in Indiana. According to the statistics given, this State was among the leaders in the movement, numbering over 2,000 lodges of the Patrons of Husbandry, more than twenty to the county, or one lodge for each 150 men, women and children of the farming population. There are many records available of this movement in Indiana and many prominent leaders are still alive. It is to be hoped some student will supply the testimony for our State.

It remains to be said that Dr. Buck has performed a very valuable piece of investigation. Nothing conduces more to the correct and charitable solution of such questions as are now agitating the people than a reading of such books as the one under review. Some of the lasting effects of the "Granger movement" may be seen in the large mail-order houses—Montgomery, Ward & Co. was originally a Granger cooperative concern—the disappearance of the old credit system, which held the farmer almost a slave to the merchant, the railroad rate regulation, the technical education of the farmers. The Grangers were not the only factors of course in these reformations, but they took a prominent part.

LOGAN ESAREY.

Financial History of Ohio. By ERNEST LUDLOW BOGART, Associate Professor of Economics, University of Illinois. [University of Illinois Studies in the Social Sciences, Vol. I, Nos. 1 and 2.] (Urbana: University of Illinois, 1912. Pp. 358.)

During recent years much interest has been manifest in the study of the finances of American commonwealths. Various monographs

have been published which trace the evolution of expenditure, revenue and financial administration, in typical States. Not only are such studies of value to students of finance, but they also are of service to tax administrators and legislators in pointing out the errors of the past and indicating the general lines for advance in the future. What other writers have done in this way for such States as Maryland, Massachusetts, New Hampshire, Connecticut, Vermont and New York, Professor Bogart has done for Ohio.

The present work is divided into two main sections. Under Part I, "Financial Legislation and Administration," the author considers the economic history of Ohio, the growth of receipts and expenditures, financial administration and budgetary practice. Part II, "The History of Taxation in Ohio," deals with the general property tax, the taxation of bonds and railroads, business and miscellaneous taxes. There is also a short introduction dealing with territorial history and finance. Treatment of internal improvements and local finance is crowded out by reason of the limitations of space, while discussion of the State debt is also omitted owing to the fact that the author has published its history in another connection.

The chapters on financial administration and the budget are a recital of constant waste, fraud and inefficiency in the taxing system of Ohio during the first half-century of State life. Laxity in assessment was followed by juggling of funds and uncertainty in the methods of accounting officers. In bringing order out of this chaos, one of the greatest and most necessary reforms was secured.

The chapter dealing with the general property tax is clearly another indictment of that institution. Early special taxes gave way to a tax of uniform rate on property of all kinds. Later on, when corporate interests had largely developed, this tax proved inadequate. As a result, certain forms of property and business, such as banks, railroads, public utilities and insurance companies, were split off and taxed at varying rates. Throughout its history the general property tax in Ohio has operated with unequal distribution of burden through chronic under assessment and through the evasion of intangible personalty. Even the celebrated tax inquisitor law failed to reach the latter kind of property. Just as in the case of Indiana constitutional provisions prevent taxing intangible personalty at a lower rate as is done by several leading Eastern States. It may be noted, also, that the recent constitutional convention to which Professor Bogart looked for relief in this connection, failed to effect any change.

The chief criticism to be directed against the monograph is that the author has devoted too much attention to general economics and social history. It is, of course, helpful to the student to outline the banking and railroad history of the State in explanation of the tax policies relating to these branches of business. It is difficult, however, to see the connection between taxation and such topics as immigration, slavery, the abolition of public executions and imprisonment for debt, and the growth of general culture. The monograph would still be satisfactory as a treatment of the finances of Ohio with a more sparing treatment of such matter as goes to make it an over-balanced "economic history of Ohio." Considerable reduplication is also involved owing to the treatment of tax history first in a horizontal fashion, and second, in a cross-sectional or vertical style.

However, with the exception of the omitted subjects noted above, the author has treated the financial history of his State in a thorough-going manner. For a tax history, it is also unusually readable. It is greatly to be regretted that a similar piece of work has not been done for Indiana.

In conclusion, it may be of interest to note that from 1898 to 1900 the author was Acting Professor of Economics at Indiana University.

FRANK T. STOCKTON.

"One Hundred Years Ago—The Battle of the Thames" is the leading article in the September number of *The Register of the Kentucky State Historical Society*. A. C. Quisenberry, the author, has given a detailed account of the expedition as shown by the official records. The parts taken by Colonel R. M. Johnson, then a member of Congress, and Governor Isaac Shelby are especially dwelt upon. October 5, 1813, was a glorious day for Kentuckians, and they may well take pride in celebrating its centennial anniversary. Before that day they had suffered about all the humiliation that could come from military defeat and Indian barbarity, the massacre on the Raisin adding the last to their well-filled cup of sufferings. Full-page steel engravings of Governor Shelby, Colonel Johnson and Tecumseh add to the attractiveness of the article.

A letter by Governor Isaac Shelby to Judge Thomas Todd, asking advice concerning the acceptance of an appointment as commissioner to treat with the Indians while holding the office of Governor, and a letter by Andrew Jackson to the National Institute declining a sarcophagus offered by the Institute are interesting documents in the same number of the *Register*. The answer of Judge Todd is

interesting to us since our first Governor precipitated a State-wide quarrel by doing just what Judge Todd said he had no legal right to do.

FRED ROHRER, editor and owner of the *Berne Witness*, is the author and publisher of a volume of 146 pages just off the press giving the details of his ten years' war with the saloons of his town. The liquor men were well intrenched, having a saloon for each 100 inhabitants. From the story it seems that in 1886, when the war was declared, everybody drank and many of the inhabitants were what might be called drunkards. The actual hostilities began in 1902 and lasted till 1906, when the saloons acknowledged their defeat. The fight cost the good citizens \$10,500, Rohrer's house was dynamited, he himself was beaten up four times and driven from town several times, on one of which occasions he was housed in the county jail at Decatur. The book is a genuine epic in style and movement. It is notable also that Mr. Rohrer prospered during the fight, the circulation of the *Witness* increasing rapidly.

THE *Iowa Journal of History and Politics* for July contains an interesting summary of the lives of Gurdon Saltonstall Hubbard, an Indian fur trader, and Gershon Flagg, a pioneer farmer of the Illinois prairie. Professor Louis Pelzer, of the State University of Iowa, author of the article, calls it "History Made by Plain Men." Jacob Van der Zee, of the Iowa State Historical Society, contributes a forty-page article on "Early History of Western Iowa." Clifford Powell in a seventy-eight-page article concludes his "History of the Codes of Iowa Law." In these articles, the concluding one is the fifth of the series, the writer sets forth the demand for and the leading principles and characteristics of each revision from the "Old Blue Book" down to the "Supplement of 1907."

THE October *American Historical Review* contains a timely article by Professor Guy S. Callender, of Yale University, on "American Economic History." The great amount of attention given to industrial problems and conditions has aroused an historical interest in that field. He points out the similarity between this condition and the preceding one when nearly all the attention of government was given to questions of politics. So pronounced was this influence of the government on history that the past and present generations of historians devoted their entire attention to "political" history. As

a result of the emphasis laid in recent years by the government on economic legislation nearly all the monographs now being written deal with some phase of economic history.

Another interesting article in the same number of the *Review* is by Professor C. H. Van Tyne, of the University of Michigan, and discusses "The Clergy and the American Revolution." "After twelve years' study of the period," says Professor Van Tyne, "I am not convinced that the economic causes of which so much has been made, are adequate alone to explain the bitterness of the controversy.

. . . . Among the many causes I rate religious bigotry, sectarian antipathy, and the influence of the Calvinistic clergy as among the most important." The author of this surprising statement is as well prepared as any living historian to speak with authority on the history of the Revolution.

THE *American Economic Review* for September, 1913, has a study of "Farm Credit in a Northwestern State" by Meyer Jacobstein, of the University of North Dakota. The author favors "some form of cooperation as a means of lowering the interest rates on borrowed capital." A table shows that the average interest on farm long-time loans is 7.88 per cent.; while the average for short loans is 10.25 per cent. The study further showed that 87 per cent. of the farmers bought their farming implements on credit. The average interest on these notes is 10.26 per cent.

IN THE *American Political Science Review* Charles Kettleborough, of the Indiana Legislative Reference Department, explains the purpose and provisions of the new Indiana law for the extermination of rats. The law provides a penalty of from ten to one hundred dollars for maintaining a building infested by rats. The execution of the law is in the hands of the health officers.

IN the July number of the *Journal of the Illinois State Historical Society* Dr. Evarts Boutell Greene outlines the work now being done by the State Historical Library of Illinois. This body under the laws of Illinois is substantially a State Department of History. Its first and chief duty as given by Dr. Greene is the collection and preservation of the historical materials of the State. The law establishing the library says: "Besides collecting these books and manuscripts the State Historical Library is also charged with the duty of publishing historical documents. For the present this work is limited

to the publication of original documents rather than historical essays or monographs."

IN view of the general dissatisfaction with the present means of raising public revenue in Indiana, the article by Professor F. J. Goodnow in the September *Political Science Quarterly*, entitled "Congressional Regulation of State Taxation" cannot fail to be interesting. In the same number Robert Livingston Schuyler has an interesting discussion of the origin of the public land system, entitled "Working Toward a Federal Domain."

IN THE *Sewanee Review* (Sewanee, Tennessee) of October, A. R. H. Ranson, of Catonsville, Maryland, begins his "Reminiscences of the Civil War by a Confederate Staff Officer." The war seems to have left no bitterness on his part—a remark that applies to almost all the Confederate veterans. There is a charm in the style of Mr. Ranson that makes one forget he is reading history.

THE October number of the *Virginia Magazine of History and Biography* contains the appraisalment of the Estate of Philip Ludwell." As a glimpse of the plantation life of the time—he died in 1767—it has great historical interest. The Ludwell plantations lay along the north bank of the James river near Jamestown. There were 236 slaves listed in the appraisalment. The prices varied from £70 for first-class men and women down to £1 for old "mammies." The aggregate value of the slaves was over £10,000,—far more than that of any other single heading. There were 50 head of draught steers, a large number of "stock cattle" and hogs; 110,000 pounds of tobacco, large quantities of wine and cider; several hundred bushels of wheat, and 23 reap hooks with which it had been harvested. Altogether the schedule gives one a definite idea of the plantation life. The old mahogany furniture, the dessert dishes, the chocolate cups and saucers, the 39 finger glasses, the plate warmers, the dressing tables with double mirrors, the leather couches, the silk bed-quilts, the speaking trumpet, the pewter cooler, the 6 sets of gilt cups, the 22 blue and white china dishes, the red and white gilt dishes, 24 cider glasses, 9 strong beer glasses, 58 wine glasses, 99 jelly glasses, 2 tea boards with sliders, 2 dozen ivory knives and forks, 5 brass chafing dishes, the nut crackers, the sniffers, the snuffers, the Japan waters, the copper coolers, the hour glasses, the reading frames and

the libraries,—all these help to make up a picture of high living not usually thought of in connection with Colonial life.

THE *Library Occurrent* for September, 1913, thus speaks of *The Story of Indiana and Its People* by Robert J. Aley and Max Aley, now in the Young Peoples' Reading Circle: "The authors state in their preface that their purpose is 'to furnish the young people of Indiana with an accurate story of the settlement and growth of the State.' Since accuracy is their aim it is regrettable that much of the contents of the book, instead of being based on the results of original research, is a rehash of old treatises which recent investigations have proved inaccurate. The book is textbook in style and bids fair to repel rather than to awaken an interest in the history of our State." The editors of the INDIANA MAGAZINE OF HISTORY regret that they can not disagree with this estimate of the book.

THE *Southwestern Historical Quarterly* for October contains an article on the "Movement for State Division in California, 1849-1860" by William H. Ellison. It furnishes still more evidence of the width and depth of the slavery struggle. Professor Isaac Joslin Cox, of the University of Cincinnati, continues his discussion of the "Louisiana-Texas Frontier" in the same issue.

THE leading article in the *North Carolina Booklet* for October is the address delivered by Marshall De Lancey Haywood to the Roanoke Colony Memorial Association at Old Fort Raleigh, on Roanoke Island, at the celebration of Virginia Dare Day, August 19, 1913. The address is an historical narrative of the American enterprises of Sir Walter Raleigh. The *Booklet* is published quarterly at Raleigh, North Carolina, by the North Carolina Society, Daughters of the American Revolution.

IN this connection attention may be called to the article in the September number of *Blackwood's Magazine*, by G. Cunningham Terry, on "Sir Walter Raleigh's Lost Colony of Roanoke."

THE *Indianapolis News* of October 11 contains an interesting sketch of the Dunn family of Bloomington. Samuel Dunn, the pioneer, settled near Bloomington at an early date. The present Indiana University campus is a part of his farm. The family cemetery is in a picturesque nook of the campus. George G. Dunn, Con-

gressman from the Sixth Indiana district in 1847-1849, and from the Third district 1855-1857, was a son of Samuel Dunn. Moses F. Dunn, who now owns the old homestead, and who was a State representative in the Forty-fifth and Forty-sixth General Assemblies, is a son of Congressman George G. Dunn.

THE Plymouth *Republican*, special edition, May 24, 1913, contains a history of the First Presbyterian Church of Plymouth written by Miss Frances E. Emerson, historian of the Indiana Daughters of the American Revolution. It is a creditable piece of work to both the author and the *Republican*. Cuts of both the old and the new church appear, together with nineteen portraits of ministers and laymen prominently connected with the society. The occasion was the seventy-fifth anniversary of the church.

THE Thirteenth Annual Conference of the Indiana chapters, Daughters of the American Revolution, by invitation of the Dorothy Q. chapter, met in Crawfordsville, October 7, 8 and 9, 1913. The address of welcome was made by Mrs. Maurice Thompson, regent of Dorothy Q. chapter, and Mrs. Charles W. Fairbanks, ex-president-general, responded. Mrs. Thompson expressed the wish that "the same spirit that impelled our grandmothers to do great things in those strenuous days would be developed in the woman of today." In Mrs. Fairbanks' response she said: "All of Indiana, and perhaps all of America, are interested in Crawfordsville." She called attention to the great men of the Nation who have lived in Crawfordsville. These include Henry S. Lane, who presided at the first convention of the Republican party and was Senator from Indiana during Lincoln's administration; the novelist, statesman and military man, General Lew Wallace; the novelist, Maurice Thompson; Caleb Mills, who originated the school system of Indiana, and Professor Campbell, who directly caused the Centennial Celebration of 1876. The address of the State regent was one of great interest. She reported fifty-three chapters in existence, with five new chapters being organized. One thousand dollars have been raised in Indiana this year toward defraying the debt on Memorial Continental Hall, Washington, D. C. Two hundred and fifty new members have been added in Indiana the past year.

Indiana has been honored with three presidents general: Mrs. Caroline Scott Harrison, Mrs. Charles W. Fairbanks and Mrs. John W. Foster. Mrs. Caroline Scott Harrison was the first presi-

dent general and a tablet has been placed in the Indiana Room (the President General's room) in Memorial Continental Hall in her honor. The clay model of this bronze tablet was given by the artist to the Caroline Scott Harrison chapter, of Indianapolis. Funds have also been raised for the "Caroline Scott Harrison Scholarship Fund for Mountaineers," the income of which places a Southern mountain boy in the Martha Berry School for Mountaineers at Rome, Georgia. These mountain children are the descendants of the patriots who fought at King's Mountain and other decisive battles in the campaign in the South. This scholarship is but the small beginning of the great Daughters of the American Revolution School which will be built at a day not far distant. In her report on the Mountaineers, Miss Julia Landers, of Indianapolis, proposed plans which will result ultimately in the success of this project.

In her report on the "Welfare of Women and Children" Miss Eliza Browning, city librarian of Indianapolis, reported the defeat of the "eight-hour bill" at the last Legislature, also on the new "truancy bill."

At 6 o'clock Wednesday evening dinner was served in the banquet room of the Masonic Temple, after which the Daughters attended a reception at the home of Mrs. Maurice Thompson. The home of Mrs. Thompson is said to be the oldest occupied residence in the State of Indiana, and contains many pieces of furniture, dishes and bric-a-brac which have passed through the hands of three generations of Mrs. Thompson's ancestors.

The event of the conference occurred Wednesday afternoon, when Mrs. James M. Waugh, past regent of Dorothy Q. chapter, led to the platform Mrs. Lucinda McMullen, of New Market, Indiana, a real daughter of the American Revolution. She is the daughter of John Hardee, who was born in 1750 and died in Indiana in 1839. He served under Washington for seven years, and was present at the battles of Long Island, Harlem Heights, Valley Forge and Yorktown. Mrs. McMullen was born March 22, 1824, and told her story in a remarkably clear voice. Mrs. McMullen was brought to the conference by Mr. J. H. Armatrout, of New Market, who looks after her interests. She owns her own little home, but her entire financial income is the pension paid her by the Daughters of the American Revolution. All real daughters are paid eight dollars per month by the organization. When asked if the pension supported the "real daughter" Mr. Armatrout replied that more could be used to advantage, and a collection was immediately taken, re-

sulting in \$49.99, which was turned over to Mr. Armatrout for her benefit.

Luncheon on Thursday was served in the First Methodist Church. Mrs. Henry S. Lane was present and spoke to the daughters on the theme, "We who are about to die salute you." She is eighty-nine years old, and is a sister of General Lew Wallace. She spoke of the time when the Crawfordsville company marched off to the Mexican war. She presented the company with the flag which they carried during the entire campaign.

Greetings were sent to Piankeshaw chapter, of New Albany, a very active chapter whose daughters were not able to be present owing to the fact that New Albany celebrated its centennial that week and the daughters of Piankeshaw chapter were active in this work.

The Time and Place Committee reported that the next conference would be held at the usual time at Fort Wayne. Miss Margaret Vessey, regent of the Mary Penrose Wayne chapter, in behalf of the chapter, invited the conference to Fort Wayne.

Mrs. Lane opened the General Lew Wallace home to the daughters, and most of Thursday afternoon was consumed in visiting this historic residence and driving to the Country Club.

The officers chosen were the following: State Regent, Frances Haberly-Robertson; Vice Regent, Mrs. William A. Cullop, Vincennes; State Secretary, Mrs. J. B. Crankshaw, Fort Wayne; State Treasurer, Mrs. Otto Roth, Bloomington; Historian, Miss Frances E. Emerson, Plymouth; Chaplain, Mrs. D. M. Parry, Indianapolis; Auditor, Mrs. Frank Felter, Huntington.

THE Associated Press of Indiana held its annual banquet at the Claypool Hotel, September 24. Secretary of the Navy Josephus Daniels, a North Carolina editor, was the principal speaker. "The Relation of Newspapers to the United States Government" was the subject of his address, which was printed in the *News* of September 25. Other speakers were Governor Samuel Ralston, William Lowe Bryan, of Indiana University, and W. E. Stone, of Purdue University.

NEW ALBANY passed its century mark, October 13, and now has works, oratory, trolley and automobile trips, banquets, etc., were one hundred years of history to its credit. The Centennial week, October 13-18, was a gala time. Parades, concerts, receptions, fire-

mingled in hopeless confusion. Governor Ralston, ex-Governors Durbin, of Indiana, and Wilson, of Kentucky, Vice President Marshall (who was unable to be present), ex-Vice President Fairbanks, Senators Shively and Kern and Congressman Cox made up the list of speakers. The only criticism to be offered to the program is the absence from the list of speakers of persons qualified by special study to speak on the history of the State and city.

THE teachers of the Indianapolis public schools, in response to the suggestion of the Commercial Club, have undertaken to acquaint the pupils with their city. Excursions to various parts of the city, to different industrial plants, and places of scenic or historic interest, are conducted by skillful guides. The Commercial Club of this city is cooperating with the teachers and assisting with the work. The newspapers, also, are responding with pictures and historical descriptions, more or less accurate, of the various points and places of interest. The movement is worth while, and should not be drowned in the usual slush of the Sunday newspaper edition.

A monument to General Edward Braddock was unveiled near Uniontown, Pennsylvania, October 15. This will surely mark the high-water point in monument building. A monument to Washington, whose advice saved the army; or to the Virginia rangers, who covered the retreat; or to the famous Coldstream Guards, whom Braddock's incapacity sacrificed, would have been appropriate; but it would be interesting to know what sentiment could foster a monument to General Braddock.

THE John Paul chapter of the Daughters of the American Revolution, of Madison, Indiana, unveiled a marker on the grave of Gazamel Maxwell at Hanover October 14. Dr. Harvey W. Wiley, of Washington, D. C., and Judge U. Z. Wiley, great-grandsons of Mr. Maxwell, were present and assisted in the ceremonies. President W. A. Millis, of Hanover College, delivered an address.

EDMUND HOSTETTER, a pioneer of Milltown, Indiana, died at his home in Milltown, October 17, 1913. He was born in Canton, Ohio, November 23, 1823. In 1849 he took the gold fever and crossed the plains and mountains with a small party with ox teams. In 1851 he returned to Ohio. In 1858 he built a flour mill in Milltown, where he has since lived. In 1861 he enlisted in the Thirty-Eighth Indiana

Infantry Volunteers. At the close of the war he was captain of Company E. An account of his life is given in the *English News* of the above date.

THE Indiana Librarians' Association held its annual meeting at Marion October 15, 16 and 17. The general topic of the meeting was "The Socialization of the Library." Such subjects were discussed as "The Social Function of the Library," "A Reference Bureau for Municipal Problems," "Preservation of Local Historical Materials," "Educational Extension Work," "The Library and Industrial Education," "Lanterns and Slides." These topics show the general tendency of library management at the present time. Mr. Louis J. Baily, of Gary, was elected president, and Miss Julia Mason, of Princeton, secretary.

CHARLES G. POWELL, one of the prominent Republican editors of Indiana during the last half of the past century, died October 15, 1913, at the home of a son in Niles, Michigan. He was born in Monroe county, New York, December 1, 1829, being almost eighty-four years old at his death. He became proprietor and editor of the *Westville Herald* in 1856 and moved it in 1859 to Laporte, where it has continued ever since. Mr. Powell was a delegate to the National Republican conventions at Chicago in 1868 and to the Philadelphia convention in 1872, helping to nominate Grant in each. He was postmaster at Laporte 1877 to 1882, at the end of his term taking a position in the Pension Department at Washington, where he served twelve years. In 1894 he founded the *Weekly Republican* at Laporte, which he sold in 1906 to the *Herald* and retired.

MRS. MAY W. DONNAN, a well known teacher and author of Indianapolis, died at her home on September 27. She was considered one of the most successful teachers of literature in the State. Some of the leading literary men of the State are glad to acknowledge the value of her influence as a teacher. She was born and spent her life in the city where she died. Before her marriage she taught in the public schools. Later she conducted private classes, not only in Indianapolis, but in Cincinnati, Greensburg, Shelbyville, Rushville and Anderson.

GOVERNOR WOODBRIDGE F. FERRIS, of Michigan, accompanied by the commissioners of the Michigan Historical Society, visited the

University of Notre Dame, October 9, in search of materials connected with the early history of Michigan.

MRS. CORNELIA COLE FAIRBANKS died at Indianapolis, October 24. She served two terms as president-general of the Daughters of the American Revolution. During this period she was active in raising money to build its Memorial Continental Hall at Washington, D. C. She was one of the founders of the Fortnightly Literary Club, of Indianapolis, serving as its first president, 1885-1888. With her husband, Ex-Vice President Charles W. Fairbanks, she made a tour of the world in 1909-1910. She was a descendant of Lieutenant James Blakely, of the New York line, and of Benjamin Cole, of the Pennsylvania line, of the Revolution.

AN article by Dr. E. V. Shockley on the "Location and Relocation of County Seats" was intended for this number, but for lack of space and also in order to allow the writer to make further investigations in several counties it was held for the next number.

THE editor is still working on the Polk Memoir and hopes to have it completed by the next number. The preparation of such material sometimes leads the investigator into fields entirely unexpected at the beginning.

THE last Legislature created a department of archives in the State Library to be devoted to the collection and preservation of the materials of our State's history. This department is under the supervision of Professor Harlow Lindley, of Earlham College, a man of wide experience in this work. For a full explanation of this work write the State Library for a copy of its July-September Bulletin.

DR. MORDECAI M. MCDOWELL, of Vincennes died at his home November 8. He was born in Jefferson county, Ohio, March 10, 1845, the son of Dr. James McDowell, who had moved there from Pennsylvania. In the fall of 1862 Dr. McDowell enlisted in Company G, Thirteenth Ohio Cavalry. He was present at Appomattox, though he had been wounded at Petersburg. After the war he studied medicine, graduating from Kentucky Medical in 1868. He located in Freelandville, Knox county, Indiana. He has been trustee of Widner township, sheriff of Knox county, and State

senator 1908-1912. His son, Dr. James McDowell, is mayor of Vincennes. He was a Mason, a G. A. R., an Elk, and a Democrat.

ELIAS B. BOLTZ, former editor of the Dunkirk *News*, and at one time superintendent of the Dunkirk schools, died October 30 in the Muncie Hospital from injuries received in a wreck on the interurban at Yorktown a few days previous.

HENRY B. MARTIN, founder of the Greencastle *Democrat*, died at Cloverdale, his home, November 9. Before the Civil War Captain Martin had commanded a company of Iowa rangers in an Indian war. At the opening of the Civil War he organized a company, but not being able to get it mustered in at once he took service in the Second Kentucky. He received wounds at Barboursville and at Chickamauga. After the War he became a surveyor and lawyer. From 1885 to 1895 he was engaged in surveying Indian reservations for the Federal Government. In 1892 he and his son, Charles, founded the Greencastle *Democrat*. In 1897 this was sold and a new paper founded in San Bernardino, California. He soon returned, however, to Cloverdale, Putnam county.

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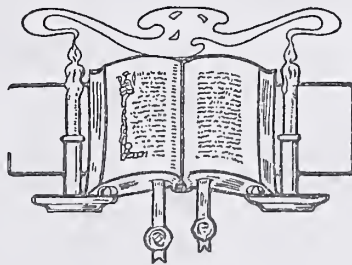
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